

FINAL REPORT

Environmental Guidelines for Development of Cultural Resource Management Plans



August 1995

U.S. Department of Energy
Office of Environmental Policy
and Assistance

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Office of Environmental Policy
and Assistance

memorandum

DATE:

REPLY TO
ATTN OF:

Office of Environmental Policy and Assistance:LThompson:69581

SUBJECT:

FINAL VERSION - Environmental Guidelines for the Development of Cultural Resource Management Plans

TO:

Distribution

The purpose of this memorandum is to transmit the final version of the Environmental Guidelines for the Development of Cultural Resource Management Plans. The objectives of the Cultural Resource Management Plan (CRMP) guidelines are to: (1) consolidate guidance on the various cultural resource management laws and regulations, (2) assure compliance with the National Historic Preservation Act mandate that an agency develop a cultural resource management program, (3) reinforce the Department's commitment to support the Federal Archaeology Program, (4) ensure consistency in the interpretation, development and implementation of cultural resource management activities at Department of Energy facilities and program offices and (5) assure coordination of the Department's cultural resource management activities with the Department's Federal Preservation Officer as required in Section 110(c) of the National Historic Preservation Act.

These guidelines provide Department of Energy facilities with the framework to develop individual CRMPs. Each CRMP will be site or program specific. Department facilities that have an existing CRMP should ensure that their plan addresses all components of the CRMP guidelines.

If there are any questions regarding this document please contact Lois Thompson, the Department of Energy's Federal Preservation Officer at (202) 586-9581.

Raymond F. Pelletier
Director
Office of Environmental Policy
and Assistance

Attachment

*CONTENTS**

PREFACE	x
ACRONYMS	xi
OVERVIEW OF DOE CRM PROGRAM AND GUIDELINES	O-1
<i>DOE CRM Program Objectives</i>	O-1
<i>CRM Statutory Authorities</i>	O-3
<i>DOE CRM Plan Guidelines</i>	O-5
<i>Planning Responsibilities</i>	O-5
<i>Plan Objectives</i>	O-5
<i>Administrative Responsibilities</i>	O-6
<i>DOE CRMP Review</i>	O-6
<i>CRMP Format and Content</i>	O-6
1 DESCRIPTION OF PART 1 OF THE CRMP	1-1
EXECUTIVE SUMMARY	1-1
1 INTRODUCTION	1-1
2 DESCRIPTION OF PART 2 OF THE CRMP	2-1
2 CRM GOALS	2-1
2.1 Short-Term Goals	2-1
2.2 Long-Term Goals	2-2
3 DESCRIPTION OF PART 3 OF THE CRMP	3-1
3 EXISTING CONDITIONS	3-1
3.1 Facility or Program Descriptions	3-1
3.1.1 Current Physical Setting	3-1
3.1.2 Current Operational Context	3-1
3.1.3 Potential Impacts to Cultural Resources	3-1
3.1.3.1 Past Practices	3-1
3.1.3.2 Planned Activities	3-2
3.1.4 Summary of Current Planning Procedure	3-2
3.1.5 Funding	3-2
3.2 Cultural and Historical Setting	3-2
3.2.1 Historic and Prehistoric Natural Environments	3-2
3.2.2 Prehistory and History	3-3
3.2.3 Traditional Lands and Resource Uses	3-3
3.2.4 Treaties, Executive Orders, and Land Grants	3-3
3.2.5 Recent Scientific Significance	3-3

* Headings that should be included in individual CRM plans are shown in standard type. Headings that introduce CRM Plan sections are shown in italics.

CONTENTS (Cont.)

3.3	Known Cultural Resources	3-3
3.3.1	Prehistoric Properties	3-4
3.3.1.1	Districts, Sites, and Structures	3-4
3.3.1.2	Objects	3-4
3.3.1.3	Other Important Properties	3-4
3.3.2	Historic Properties	3-6
3.3.2.1	Districts, Sites, Buildings, and Structures	3-6
3.3.2.2	Objects	3-6
3.3.2.3	Other Important Properties	3-6
3.3.3	Resources of Ethnic Importance	3-6
3.3.3.1	Sacred Sites	3-6
3.3.3.2	Traditional-Use Resources	3-7
3.3.3.3	Native American Cultural Items	3-7
3.3.3.4	Other Resources of Ethnic Importance	3-7
3.3.4	Properties of Recent Scientific Significance	3-7
3.3.4.1	Districts, Sites, Buildings, Structures, and Other Facilities	3-7
3.3.4.2	Objects	3-7
3.3.4.3	Other Properties	3-8
3.4	CRM Accomplishments	3-8
3.4.1	Cultural Resource Records and Reports	3-8
3.4.1.1	Cultural Resource Site Records	3-8
3.4.1.2	Cultural Resource Project Records	3-10
3.4.1.3	Other Cultural Resource Records	3-10
3.4.1.4	Cultural Resource Reports	3-10
3.4.2	Inventory	3-10
3.4.2.1	Archival Searches	3-11
3.4.2.2	Ethnographic Fieldwork	3-11
3.4.2.3	Structure and Facility Surveys	3-11
3.4.2.4	Structure and Facility Survey Status	3-11
3.4.2.5	Archeological Surveys	3-11
3.4.2.6	Archeological Survey Status	3-12
3.4.2.7	Other Inventory Activities	3-12
3.4.3	Excavation	3-12
3.4.3.1	Test Excavations	3-12
3.4.3.2	Large-Scale Excavations	3-12
3.4.3.3	Excavation Status	3-13
3.4.4	Structure and Facility Management	3-13
3.4.4.1	Structure and Facility Documentation	3-13
3.4.4.2	Structure and Facility Maintenance	3-13
3.4.4.3	Structure and Facility Mitigation	3-13
3.4.4.4	Structure and Facility Management Status	3-13
3.4.5	Laboratory Treatment	3-14
3.4.5.1	Processing	3-14
3.4.5.2	Analysis	3-14
3.4.5.3	Laboratory Treatment Status	3-14

CONTENTS (Cont.)

3.4.6	Curation	3-14
3.4.6.1	Curation Facilities and Procedures	3-14
3.4.6.2	Curation Status	3-15
3.4.7	Preservation	3-15
3.4.7.1	Protection from Natural Forces	3-15
3.4.7.2	Protection from Human Forces	3-15
3.4.7.3	Preservation Status	3-15
3.4.8	Research	3-16
3.4.9	Outreach	3-16
3.4.9.1	Activities on the DOE Site	3-16
3.4.9.2	Activities Not on the DOE Site	3-16
3.4.9.3	Outreach Status	3-16
3.4.10	Other CRM Accomplishments	3-16
3.5	Legal Compliance Accomplishments	3-16
3.5.1	NHPA, Executive Order 11593, and 36 CFR Part 800	3-17
3.5.1.1	NHPA, Sections 106 and 110(f), and 36 CFR Part 800	3-17
3.5.1.2	NHPA, Sections 110(a)-(e) and (g)-(j), and Executive Order 11593, Section 2	3-17
3.5.2	AIRFA	3-17
3.5.3	ARPA	3-17
3.5.3.1	ARPA, Section 10(c)	3-18
3.5.3.2	ARPA, Section 14	3-18
3.5.4	NAGPRA	3-18
3.5.4.1	NAGPRA, Section 5	3-18
3.5.4.2	NAGPRA, Section 6	3-18
3.5.4.3	NAGPRA, Section 7	3-18
3.5.5	36 CFR Part 79	3-18
4	<i>DESCRIPTION OF PART 4 OF THE CRMP</i>	4-1
4	CRM METHODS	4-1
4.1	Records and Reports	4-1
4.1.1	Cultural Resource Site Records	4-1
4.1.2	Cultural Resource Project Records	4-1
4.1.3	Other Cultural Resource Records	4-1
4.1.4	Cultural Resource Reports	4-2
4.1.4.1	Standardized Report Outlines	4-2
4.1.4.2	Report Library	4-2
4.2	Inventory	4-2
4.2.1	Archival Searches	4-2
4.2.2	Ethnographic Fieldwork	4-2
4.2.3	Structure and Facility Surveys	4-3
4.2.4	Archeological Surveys	4-3
4.3	Excavation	4-3
4.3.1	Test Excavations	4-4
4.3.2	Large-Scale Excavations	4-4

CONTENTS (Cont.)

4.4	Structure and Facility Management	4-4
4.4.1	Structure and Facility Documentation	4-4
4.4.2	Structure and Facility Maintenance	4-4
4.4.3	Structure and Facility Mitigation	4-4
4.5	Laboratory Treatment	4-5
4.5.1	Processing	4-5
4.5.2	Analysis	4-5
4.6	Curation	4-5
4.6.1	Preservation	4-5
4.6.2	Inventory, Accession, Labeling, and Cataloging	4-6
4.6.3	Identification, Evaluation, and Documentation	4-6
4.6.4	Storage and Maintenance	4-6
4.6.5	Periodic Inspection and Remedial Preservation	4-6
4.6.6	Study	4-6
4.7	Preservation	4-6
4.7.1	Natural Forces	4-6
4.7.2	Human Forces	4-7
4.7.2.1	Authorized Actions	4-7
4.7.2.2	Illegal Acts	4-7
4.8	Outreach	4-7
4.8.1	Activities on the DOE Site	4-7
4.8.2	Activities Not on the DOE Site	4-7
4.9	Interagency Information Exchange	4-8
5	<i>DESCRIPTION OF PART 5 OF THE CRMP</i>	5-1
5	CRM PROCEDURES AND ADMINISTRATION	5-1
5.1	Compliance Procedures — NHPA, Executive Order 11593, 36 CFR Parts 60, 63, 65, 79, and 800	5-1
5.1.1	Initiation of Compliance Procedures for Undertakings	5-1
5.1.1.1	Preconstruction Project Planning and Evaluation	5-4
5.1.1.2	Identification of Projects That May Affect Cultural Resources	5-4
5.1.1.3	Notification of CRM Staff	5-4
5.1.1.4	Consultation to Assess Information Needs	5-4
5.1.1.5	Authorizing, Funding, Planning, and Scheduling Archeological Surveys and Other Field Studies	5-4
5.1.2	Identification of Cultural Resources That May Be Affected	5-5
5.1.2.1	Identification of Known Cultural Resources	5-5
5.1.2.2	Surveys and Other Field Studies	5-5
5.1.2.3	Report Preparation and Review	5-5
5.1.3	Consultation When No Cultural Resources Are Identified	5-5
5.1.4	Evaluation of Cultural Resources Identified	5-6
5.1.4.1	Evaluation	5-6
5.1.4.2	Consultation	5-6

CONTENTS (Cont.)

5.1.5	Assessing and Avoiding or Reducing Effects on Cultural Resources	5-6
5.1.5.1	Assessing Effects	5-6
5.1.5.2	Identifying Ways to Avoid or Reduce Effects	5-6
5.1.5.3	Consultation and Documentation	5-7
5.1.6	Unanticipated Discoveries of Cultural Resources	5-7
5.1.7	National Register of Historic Places Nominations	5-7
5.1.8	National Historic Landmarks Designation and Recognition	5-7
5.1.9	Future Location, Inventory, and Nomination of Cultural Resources to the National Register	5-7
5.2	ARPA Compliance Procedures	5-8
5.2.1	Increasing Public Awareness	5-8
5.2.2	Planning and Scheduling Archeological Surveys	5-8
5.2.3	Reporting Suspected Violations	5-8
5.3	AIRFA Procedures	5-8
5.4	NAGPRA Compliance Procedures	5-9
5.4.1	Intentional Excavation and Removal of Native American Cultural Items	5-9
5.4.1.1	Consultation or Consent	5-9
5.4.1.2	Ownership and Right of Control	5-9
5.4.2	Inadvertent Discovery of Native American Cultural Items	5-10
5.4.2.1	Discovery	5-10
5.4.2.2	Disposition and Control	5-10
5.4.3	Inventory for Native American Human Remains and Associated Funerary Objects	5-10
5.4.3.1	Inventory Compilation	5-10
5.4.3.2	Consultation	5-11
5.4.3.3	Supplemental Documentation	5-11
5.4.3.4	Notification	5-11
5.4.4	Summary of Native American Unassociated Funerary Objects, Sacred Objects, and Cultural Patrimony	5-11
5.4.4.1	Summary	5-11
5.4.4.2	Consultation	5-11
5.4.4.3	Access	5-12
5.4.5	Repatriation of Native American Cultural Items	5-12
5.4.5.1	Repatriation of Culturally Affiliated Native American Human Remains and Associated Funerary Objects	5-12
5.4.5.2	Repatriation of Culturally Affiliated Native American Unassociated Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony	5-12
5.4.5.3	Repatriation of Culturally Unaffiliated or Uninventoried or Native American Human Remains and Funerary Objects	5-12
5.4.5.4	Sharing of Information	5-13
5.5	36 CFR Part 79 Compliance Procedures	5-13
5.5.1	Management and Preservation of Collections	5-13
5.5.1.1	Pre-existing Collections	5-13
5.5.1.2	New Collections	5-13
5.5.1.3	Administrative Records	5-14

CONTENTS (Cont.)

5.5.2	Methods to Secure Curatorial Services	5-14
5.5.3	Methods to Fund Curatorial Services	5-14
5.5.4	Terms and Conditions of Contracts, Memoranda, and Agreements for Curatorial Services	5-14
5.5.5	Repository Standards	5-14
5.5.6	Use of Collections	5-14
5.5.6.1	Scientific and Educational Uses	5-15
5.5.6.2	Religious Uses	5-15
5.5.6.3	Terms and Conditions of Uses	5-15
5.5.6.4	Written Agreements for Use	5-15
5.5.7	Conduct of Inspections and Inventories	5-15
5.6	Protection Procedures	5-15
5.6.1	Natural Forces	5-16
5.6.1.1	Monitoring	5-16
5.6.1.2	Consultation	5-16
5.6.1.3	Restoration and Repair	5-16
5.6.2	Authorized Actions	5-16
5.6.2.1	Project Screening and Tracking	5-16
5.6.2.2	Monitoring	5-17
5.6.2.3	Consultation	5-17
5.6.2.4	Restoration and Repair	5-17
5.6.3	Illegal Acts	5-17
5.6.3.1	Detection	5-17
5.6.3.2	Investigation	5-17
5.6.3.3	Prosecution	5-18
5.6.3.4	Consultation	5-18
5.6.3.5	Restoration and Repair	5-18
5.6.3.6	Prevention	5-18
5.7	Treaty Rights Procedures	5-18
5.7.1	Technical Actions	5-18
5.7.2	Regulatory Compliance	5-19
5.7.3	Administrative Procedures	5-19
5.8	CRM Administration	5-19
5.8.1	Staffing and Contracting	5-20
5.8.2	Training	5-20
5.8.3	Permitting	5-20
5.8.4	CRM Facilities	5-20
5.8.5	Curation	5-21
5.8.6	Quality Assurance	5-21
5.8.7	Consultation on Administration	5-21
5.8.8	Other Administrative Activities	5-21
6	DESCRIPTION OF PART 6 OF THE CRMP	6-1
6	PLAN ATTACHMENTS	6-1
APPENDIX A	Glossary	A-1

CONTENTS (Cont.)

<i>APPENDIX B</i>	<i>Legislation Governing the Management of Cultural Resources</i>	B-1
<i>APPENDIX C</i>	<i>U.S. Department of Energy CRM Documents and Other Related Documents</i>	C-1

FIGURES

1	Statutory and Regulatory Basis for a CRM Program	O-4
2	Cultural Resource Management Plan Known Site List Form	3-5
3	Cultural Resource Management Plan Accomplishments List Form	3-9
4	Section 106 Review Process Established by 36 CFR Part 800.4	5-2

PREFACE

The U.S. Department of Energy (DOE) recognizes its stewardship responsibilities for managing the cultural resources remaining on DOE-owned and other lands that are impacted by DOE programs. Concern for this public trust has prompted the development of a DOE-wide Cultural Resource Management program for all DOE facilities and programs. The goal of the program is to identify and consolidate compliance actions associated with a number of statutory and regulatory requirements and to reflect DOE's commitment to meet not only the letter but the spirit of these laws and regulations. One component of this program is the development of guidance documents that assist the field in meeting the policy goals for this agency.

This document — *Environmental Guidelines for Development of Cultural Resource Management Plans* — has been developed by the Office of Environmental Policy and Assistance, under the Assistant Secretary for Environment, Safety and Health. The purpose of this document is to provide guidelines to the DOE field managers with responsibility for development of an individual Cultural Resource Management Plan for each DOE facility and program. Implementation of this document is intended to assure that each DOE facility and program complies with the requirements set forth in the various executive orders, statutes, and implementing regulations governing the management of cultural resources.

ACRONYMS

ACHP	Advisory Council on Historic Preservation
AIRFA	American Indian Religious Freedom Act
ARPA	Archeological Resources Protection Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
CRM	Cultural Resource Management
CRMP	Cultural Resource Management Plan
DOE	U.S. Department of Energy
DOE FPO	U.S. Department of Energy Federal Preservation Officer
EH	Assistant Secretary for Environment, Safety and Health
FLETC	Federal Law Enforcement Training Center
FR	Federal Register
NAGPRA	Native American Graves Protection and Repatriation Act
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NPS	National Park Service
PMS	Project Management System
PSO	Program Secretarial Officer
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Officer

ENVIRONMENTAL GUIDELINES FOR DEVELOPMENT OF CULTURAL RESOURCE MANAGEMENT PLANS

OVERVIEW OF DOE CRM PROGRAM AND GUIDELINES

DOE CRM PROGRAM OBJECTIVES

The U.S. Department of Energy (DOE) recognizes its stewardship responsibilities for managing cultural resources on DOE-owned and other lands that are impacted by DOE programs. Concern for this public trust has prompted the development of a comprehensive Cultural Resource Management (CRM) program for all DOE facilities and programs. There is a statutory and regulatory basis for this program and an agency commitment to meet not only the letter but the spirit of these laws and regulations. Recognizing this concern for the public trust, the Office of Environmental Policy and Assistance, under the Assistant Secretary for Environment, Safety and Health (EH), is developing a comprehensive CRM program for all DOE facilities or programs. The program is designed to raise the level of awareness of DOE personnel with respect to the statutory and regulatory basis for, and the Department's commitment to, cultural resource management. The cultural resource planning process must be integrated into the compliance actions driven by other environmental statutes such as the National Environmental Policy Act (NEPA); the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); and the Resource Conservation and Recovery Act (RCRA). The DOE CRM program structure encompasses the following areas: (1) policy and guidance, (2) planning, (3) implementation, (4) training and outreach, (5) quality assurance, and (6) technical mission/environmental coordination. This program encourages a proactive approach by DOE managers and their recognition of the cultural and scientific value of the cultural resources that are under their jurisdiction. The DOE Federal Preservation Officer (DOE FPO) has responsibility for developing DOE-wide guidance for compliance with the various cultural resource statutes. In addition, the DOE FPO coordinates CRM activities and standards for implementing DOE's Cultural Resource Management Program, including activities that affect Native American¹ and cultural resource sites and items.

Comprehensive planning is especially important for DOE because it owns and potentially impacts large amounts of land and because its lands and projects are distributed across a diverse geographic area. Plans will improve the understanding of prehistoric, historic, and ethnic lifeways and associated environments on DOE lands. Plans should also include studies of the technological histories of DOE facilities and programs and their predecessor agencies and include strategies for the preservation of representative properties, archives, and objects.

¹ The term "Native American" is used throughout this document (see Glossary, Appendix A). This term is consistent with the statutory language under the Native American Graves Protection and Repatriation Act (NAGPRA).

The guidance memorandum² of February 23, 1990, addresses the need for developing cultural resource management plans (CRMPs) to correlate compliance activities with a number of CRM statutes and executive orders. The development of a CRMP is required under Section 101(f) of the National Historic Preservation Act (NHPA), as discussed in the February 1990 guidance memorandum. Under DOE 4230.1B, *Site Development Planning*, the preparation of individual CRMPs would follow a parallel process and result in a supplement to a master plan prepared for a specific unit of land.

These guidelines will assist managers in (1) taking a proactive role in managing the cultural resources under DOE's responsibility; (2) ensuring and documenting compliance with the applicable cultural resource laws and regulations; (3) identifying and selecting qualified technical staff with regional expertise to prepare and implement the plan (e.g., qualified archaeologists, ethnohistorians, historians, cultural anthropologists, and architectural historians that meet appropriate Federal and professional academic standards); (4) establishing historic preservation as an integral part of DOE's environmental mission; (5) ensuring consistency in the cultural resource planning process among the facilities or programs; (6) enhancing contractor, facility, and program recognition of the cultural and scientific value of the cultural resources that may exist on properties under DOE management; (7) establishing government-to-government relationships and consultations with Native Americans who may be impacted by DOE activities, in accordance with DOE 1230.2, *American Indian Tribal Government Policy*; (8) identifying and selecting technical experts following appropriate consultation with the affected tribal government, which may include tribal elders; and (9) improving consultations, interactions, and outreach with municipal, county, state, and tribal governments, other Federal agencies, and interested persons.

This document provides a format for the preparation of CRMPs. This format is voluntary and is provided for structuring the CRMP review process. While some facilities already have established cultural resource programs in place and others have unique land or project requirements, every effort should be made to prepare as complete a CRMP document as possible or to demonstrate that responsibilities for the management of cultural resources are being carried out under another agreement.

This document is a planning vehicle for assuring that all compliance activities are being met and that the interests of local, state, and tribal governments and other Federal agencies are part of this planning process. Implementation of this document for specific land units supports the broader Department objectives that form the basis for development of a comprehensive CRM program for all DOE facilities and programs.

² *Management of Cultural Resources at Department of Energy Facilities*, U.S. Department of Energy Guidance Memorandum, Raymond F. Pelletier, Director, Environmental Guidance Division (Feb. 23, 1990).

CRM STATUTORY AUTHORITIES

The principal Federal CRM statutes that apply to DOE actions on Federal, Indian, and tribal lands are the Antiquities Act of 1906, the Historic Sites Act of 1935, the National Historic Preservation Act of 1966 as amended, the Archeological and Historic Preservation Act of 1974 (AHPA), the American Indian Religious Freedom Act of 1978 (AIRFA), the Archeological Resources Protection Act of 1979 (ARPA), and the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA). Those applying to DOE-funded or -authorized actions on other non-DOE lands are NHPA, AHPA, AIRFA, and NAGPRA. These four statutes would apply, for example, to DOE-funded research or restoration activities that are carried out on tribal, state, or private lands.

Cultural resource statutes that may directly affect DOE facilities or projects are listed in Appendix B. From a compliance perspective, the combined effect of these Federal laws, executive orders, and regulations, and of their implementing guidance, appears to be complex. However, with a sound CRMP in use, objectives consistent with the facility's or program's mission can be met efficiently. These laws establish a framework and delineate responsibilities for managing historic properties on Federal lands. Taken together, these laws require Federal agencies to manage and protect what are defined in the legislation as historic properties, also commonly called "cultural resources." For purposes of this document, cultural resources include, but are not limited to, the following broad range of items and locations: (1) archeological materials (artifacts), ethnographic resources, and prehistoric and historic sites currently located on the ground surface or buried beneath it; (2) standing structures that are more than 50 years old or that are important because they represent a major historical theme or era; (3) cultural and natural places, select natural resources, and sacred objects important to Native Americans; (4) American folklife traditions and arts; and (5) places significant to the facility's history.

Paleontological specimens are not considered to be cultural resources; however, they are protected by the Antiquities Act and, if found in association with archeological resources, by ARPA. Protection of paleontological specimens should be addressed, as appropriate, in the ARPA-related preservation aspects of the planning process.

A matrix (Figure 1) has been developed that illustrates the statutory and regulatory basis for a DOE CRM program. In the matrix, specific components of the CRM program are correlated with the specific laws and regulations to clearly define the regulatory basis for the DOE CRMP guidelines.

CRM Requirements	STATUTES				STATUTES WITH REGULATIONS									
	Anti- quities Act 1906	Historic Sites Act 1935	Archeo- logical Recovery Act 1960	AIRFA 1978	NHPA 1966 Amended	36 CFR 60 (NRHP Status)	36 CFR 63 (Eligibility)	37 CFR 65 (Landmarks)	36 CFR 79 (Curation)	36 CFR 800 (Protection)	ARPA 1979	36 CFR 7	NAGPRA 1990	NAGPRA (Pending)
Planning					X						X			
Consultation				X	X	X	X ^b	X	X	X	X	X	X	X
Inventory		X	X		X	X	X	X		X	X	X	X ^a	X
Excavation	X	X	X		X		X ^b			X ^c	X	X	X	X
Laboratory Treatment	X													X
Under directive of examining, excavating, and gathering site information														
Under directive of securing, collating, and preserving site information		X	X		X				X		X	X		
Curation (of materials)	X ^a	X	X		X				X		X	X	X	X
Preservation/Protection of sites	X	X	X	X	X ^d	X		X Provide advice on Standards			X	X		X
Research	X		X		X				X		X	X		X
Outreach		X			X			Display Commemo- rative Plaque	X		X	X		
^a Museum collection.														
^b In accord with CFR 800.														
^c If necessary.														
^d If site is listed in the National Register of Historic Places.														

FIGURE 1 Statutory and Regulatory Basis for a CRM Program

DOE CRM PLAN GUIDELINES

Planning Responsibilities

Federal CRM statutes have jurisdictional elements that establish where and when they apply. When the lands or operations of a DOE facility or program meet any of these jurisdictional elements, a CRMP should be prepared for that facility or program. Facilities or programs that manage very small amounts of land or have little potential effects on cultural resources might have correspondingly less detailed CRMPs, but they would be the same in format as those of facilities or programs that manage large amounts of land with a greater potential for known and unknown cultural resources. If the lands or operations of a DOE facility or program are not under the jurisdiction of any of the Federal CRM statutes, preparation of a CRMP is not required. Facilities or programs that are not required to prepare a CRMP should document the absence of Federal jurisdiction by submitting an explanatory letter to the Program Secretarial Officer (PSO). Also, a copy of this letter should be sent to the DOE FPO. Alternative documentation may be submitted in lieu of a CRMP document. The CRM program manager has responsibility for determining the adequacy of the alternative documentation.

In situations where all lands have been surveyed and no sites have been found to be eligible for nomination to the National Register, this finding should be reflected in sections of the plan that deal with survey methods and the related aspects of compliance with the NHPA. (Documentation of the State Historic Preservation Officer's concurrence with these findings should be provided as an attachment to the plan.) A similar process should be developed and documented for addressing the absence of places of religious and traditional importance to American Indian tribes. A CRMP is still necessary in these situations for two important reasons: (1) unanticipated discoveries of cultural resources not located in the initial surveys may require compliance with NHPA (see Subsection 5.1.6 of the guidance); and (2) ARPA, AIRFA, NAGPRA, and 36 CFR Part 79 (*Curation of Federally-Owned and Administered Archaeological Collections*) place CRM requirements on facilities and programs beyond compliance with NHPA.

Plan Objectives

To manage cultural resources effectively, the CRM program manager must be aware of all ongoing or planned activities at the facility that may affect cultural resources. That person must ensure that cultural resources are addressed early in the planning process and that the proper coordination exists among all appropriate line and staff functions. The CRMPs are intended to serve as management tools for DOE managers with environmental compliance, contract management, and budgetary responsibilities. An internal quality assurance mechanism for DOE can form the basis for cooperative agreements with state, tribal, and other Federal agencies. This quality assurance system is intended to be used for the internal management of contractors and technical individuals implementing the cultural resource management programs at a DOE facility. This plan documents that the DOE manager is aware of all activities that may affect cultural resources and effectively ensures proper coordination by all appropriate line and staff functions, beginning with program or project inception. For example, DOE 4700.1, *Project Management System*, describes the DOE Project Management System (PMS) and outlines the environmental planning and review process; DOE 5400.1, *General Environmental Protection Program*, identifies major environmental laws for which DOE managers have responsibilities; and DOE 4320.1B, *Site Development*

Planning, includes DOE site development management. It is essential to identify the point in the PMS or other management areas where the CRM program can be integrated into the overall DOE program management process.

Administrative Responsibilities

Administrative responsibilities for management of the facility or program cultural resource program activities and implementing procedures should be specified in the CRMP. The responsible manager in the contractor organization and DOE area and field offices must be identified. These managers should develop a specific administrative structure and procedures for ensuring that coordination takes place among all project and program activities on lands to which the CRMP applies. The responsibilities of the designated managers should also extend to developing a mechanism for integrating the CRMP goals and administrative procedures into broader plans and procedures that control the implementation of site development planning; restoration actions; and compliance with health, safety, and environmental statutes and DOE orders. Referencing the CRMP in these other documents and using them as a basis for conducting internal audits and establishing quality control systems may be appropriate.

Facility- or program-specific CRMPs should be developed and implemented to meet the objective of DOE's CRM program described in this document. Plan requirements at the facility or program level are intended to facilitate flexibility in the planning and development of detailed implementation procedures that suit the size and function of specific land holdings. These plans should ensure that DOE managers consider, to the extent possible, both known and potential future cultural resource sites and items that may be impacted by daily operations, new construction, and remedial actions at DOE facilities or programs affected.

DOE CRMP Review

The plan review process is intended to partially meet the quality assurance objectives of the DOE comprehensive CRM program. CRMP submittals should be coordinated through the appropriate Headquarters PSO. All facility and program CRMPs should be submitted to the DOE FPO. Submitted plans should contain a review schedule. To ensure that the CRMPs remain useful to DOE managers and continue to be integrated into the long-term planning for facility or program operations, CRMPs should be reviewed and updated periodically, as appropriate, but at least every five years. The cultural resource manager has the responsibility for developing measures for evaluating the success of the CRMP.

CRMP Format and Content

Existing cultural resource management plans and related documents prepared or executed by the facility or program may fulfill some or all of the CRMP guidelines. In this case, the pertinent section of the existing plan or document should be cross-referenced at the corresponding numerical designation and heading in the CRMP prepared by the facility or program in accordance with the guidelines presented here. In select cases, where large site and survey files have been compiled in separate documents, these

large databases may also be cross-referenced and only summary tables provided in the appropriate sections.

Parts 1 through 6 of this guidelines document provide the headings to be used for the development of DOE-site-specific facility or program CRMPs and explain the kinds of information and administrative procedures that should be in place for the effective and efficient management of individual cultural resources. The prescribed outline format is annotated to encourage consistency in the scope and content of the individual CRMPs. Appendix A is a glossary of relevant terms.

To the extent possible, CRMPs should follow the format and use the headings and subheadings presented in Parts 1 through 6. The content of each of the six parts of the CRMP should be as follows:

- Part 1 includes the executive summary and introduction.
- Part 2 includes a discussion of short- and long-term goals.
- Part 3 provides an overview of past CRM accomplishments.
- Part 4 discusses the technical requirements for complying with current cultural resource laws and regulations and addresses current CRM goals, methods, and procedures for the ongoing management of facility- and program-impacted cultural resources.
- Part 5 identifies administrative requirements for managing facility and program CRM activities for specific executive, statutory, and regulatory authorities.
- Part 6 covers plan attachments. Examples of types of plan attachments include cultural resource site forms; cultural resource project forms; other culture resource forms; cultural resource report outlines; cultural resource report bibliographies; cultural resource permits; curatorial services contracts, memoranda, and agreements; collection use agreements forms; documentation for NAGPRA summaries; treaties with tribal governments; cultural resource management cooperative agreements with tribal governments; and Programmatic Agreements with the Advisory Council on Historic Preservation and the State Historic Preservation Officer.

CRMP FORMAT AND CONTENT

1 DESCRIPTION OF PART 1 OF THE CRMP*

The CRMP should begin with an executive summary and an introduction. The prescribed format and content of this preliminary information are as follows.

EXECUTIVE SUMMARY

The CRMP should include an executive summary that identifies the authorities under which the plan was prepared and provides a synopsis of the plan's six major parts.

1 INTRODUCTION

The introduction should include, at a minimum, a statement of purpose and reference to the organization of Parts 2 through 6 of the plan. The introduction should provide a brief overview of the history, status, and direction of the CRM program (Part 3); how the program is technically structured to achieve CRM goals (Part 4); and how program managers will administratively meet future CRM goals (Part 5). The introduction should mention any attachments that are part of the plan that are key to its development or implementation (Part 6).

* Headings that should be included in individual CRM plans are shown in standard type. Headings that introduce CRM Plan sections are shown in italics.

2 DESCRIPTION OF PART 2 OF THE CRMP

Each CRMP should have a statement of CRM goals. The prescribed format and content of the headings are as follows and should reflect the outline shown below.

2 CRM GOALS

This section should describe and discuss the goals of the DOE facility or program that is establishing a proactive CRM program. General goals should reflect a clear intent to (1) achieve regulatory compliance; (2) ensure that DOE stewardship responsibilities are being met; (3) enhance DOE managers' awareness of and appreciation for cultural resource preservation and improve the effectiveness of their decision making; (4) promote outreach with traditional people who are the stakeholders in the local, natural, and cultural resources and ensure their access to these resources; and (5) adopt an approach to protection of archeological resources that is consistent with the Department of the Interior's "National Strategy for Federal Archeology." Other facility or program goals should be identified that focus on maximizing the cultural and scientific value of the resources that remain on DOE-owned lands or on non-DOE-owned lands that may be directly or indirectly affected by DOE actions. Resources, however small and apparently insignificant, should be viewed as having the potential to contribute information to old and new questions being asked by the academic community, Native Americans, local historical organizations, interested persons, and so on.

This section should reflect the cultural and environmental baseline information provided in Part 4 of the plan. Specific short- and long-term goals should be defined and the rationale for their selection discussed. Goals should be technical and administrative in nature.

2.1 SHORT-TERM GOALS

Identify short-term management goals for both the known and unknown cultural resources located on the individual facility or program lands. These goals should reflect current issues, problems, and deficiencies identified through an internal assessment process and in need of immediate attention. Short-term goals should be prioritized to reflect such issues as immediate stabilization and protection needs; determination of the locations of existing collections and records; consultation with Native American tribal governments, local historical organizations, local governments, the State Historic Preservation Officer (SHPO), and interested persons; and the development of administrative procedures to ensure that the site-specific goals are implemented. Assessments should be performed by technical experts with demonstrated regional expertise. (Information on how to choose an archeological consultant can be found in *Local Preservation*.³) Development of a cultural resource research design, which identifies key questions concerning the occupation and use of the facility or program area during the prehistoric and historic periods, should be an important short-term goal, if not already accomplished. Other suggested topics

³ Parker, P.L., *Local Preservation*, Interagency Resources Division, National Park Service, Washington, D.C. (May 1987).

include, but are not limited to, improvements in the compliance procedures for a new construction project, automation of site and survey data/record management, identification of sensitive areas for Native American groups, stabilization of a particular site or structure, implementation of a new analytical procedure, location for the designated repository, and completion of cultural resource surveys for facility or program land holdings.

2.2 LONG-TERM GOALS

Identify long-term goals that reflect how facility or program managers will meet their stewardship responsibilities and recognize the cultural and scientific values of the resources remaining under their individual jurisdictions. One important long-term goal should be evaluation and refinement of the existing facility or program cultural resource research design to ensure that it continues to consist of a coherent and defensible set of research questions. Particular attention should be given to the cultural items/sites, themes, and research topics identified by the SHPO, local historical organizations, experts in local academic institutions, and interested persons. Interests and concerns of Native American tribal governments and traditional leaders and those of other ethnic groups should be considered throughout the cultural resource planning process.

3 DESCRIPTION OF PART 3 OF THE CRMP

The CRMP should address an overview of past accomplishments and existing conditions. The prescribed format and content of the headings and subheadings under this part are as follows and should reflect the same numerical outline as shown below.

3 EXISTING CONDITIONS

3.1 FACILITY OR PROGRAM DESCRIPTIONS

3.1.1 Current Physical Setting

Provide a description of the physical setting of the facility or program, including its size. Briefly describe the current natural environment at the facility or program area, addressing topics such as topography, geology, soils, vegetation, fauna, and climate. Include environmental base maps, as appropriate. Identify areas where the predevelopment natural environment remains intact. Include maps of past and current land use, buildings, utilities, and roads. This description should be as comprehensive as possible and should indicate whether inadequate information exists to provide a complete description.

3.1.2 Current Operational Context

Briefly characterize the operational context of the facility or program and describe current activities. Identify areas, buildings, and structures associated with specialized functions.

3.1.3 Potential Impacts to Cultural Resources

This section should be divided into two subsections: past practices and planned activities. Explain the kinds of operational and remedial activities that potentially could disturb or destroy cultural resources that remain on the ground surface or buried beneath it.

3.1.3.1 Past Practices

This subsection should focus on geographic areas of the facility, program, or lands that have been used by a program and that have experienced previous ground-disturbing activities (e.g., grading, filling, tree planting, and building demolition). Describe in detail (1) locations by disturbance type, (2) current use of the disturbed lands, and (3) information management tools for overall facility or program management (e.g., data compilations, computer databases, and geographic information systems). Describe, in general terms, the impact that past practices have had upon cultural resources.

3.1.3.2 Planned Activities

This section should provide an overview of planned ground-disturbing activities, including, but not limited to, the following activities: operational repairs and improvements, new construction, emergency repairs, and remedial actions. Briefly identify and describe scheduled short- and long-term projects and their proposed locations. Project schedules should demonstrate sufficient lead times to accommodate CRM planning and implementation activities in concert with overall project schedule requirements. This section of the plan should be updated annually.

3.1.4 Summary of Current Planning Procedure

This section should provide a brief summary of the facility's or program's CRM program. An explanation should be provided if a CRM program does not exist.

The CRMP should reflect coordinated management of cultural resources by the multiple administrative organizations that use the specified land unit. However, DOE projects and programs that have responsibilities involving complex land units in a wide variety of geographic areas may elect to prepare a programmatic CRMP to track the preparation of their input into facility-specific CRMPs and ensure that their administrative responsibilities are being adequately carried out.

3.1.5 Funding

Funding for cultural resource management planning and program implementation should be integrated into the normal operational budgeting process. In some cases, the availability of funding may make it necessary to produce the CRMP in stages. Individual compliance projects may be funded in various ways. (For example, see Section 7(a) of the Archaeological Recovery Act of 1960 for budgetary guidance for construction projects.)

3.2 CULTURAL AND HISTORICAL SETTING

Each facility or program has a cultural and historical context created by human use of its physical location and natural resources. Various cultural resources produced by this use are still extant today. These resources may meet legal significance criteria that affect their management, and some resources may be important to Native Americans or other ethnic groups. Include in this section any pertinent introductory comments concerning the facility's or program's cultural and historical setting. Where appropriate, describe historic properties, particularly standing structures of architectural or scientific significance. Emphasize properties related to the historic development of the DOE.

3.2.1 Historic and Prehistoric Natural Environments

Summarize available information on historic and prehistoric natural environments of the facility or program area (e.g., existing environmental reconstructions based on macrobotanical, paleoecological, or faunal data). *Natural environments* are defined as "the aggregate of social, cultural, biological, and

geophysical conditions that influence the life or condition of a resource, community, people, or lifeway" (Legacy Resource Management Program, U.S. Department of Defense).

3.2.2 Prehistory and History

Summarize available information on the prehistory and history of the location of the facility or program area. Currently accepted classification systems and chronologies for the geographic region of the facility or program should be used in describing this information. Examples of relevant topics are chronological periods, major events and dates, ethnic or cultural groups, group behavioral patterns, subsistence-settlement systems, technologies, and historically significant personages.

3.2.3 Traditional Lands and Resource Uses

Summarize available information on traditional land and resource uses by Native Americans or other ethnic groups at the facility or program area. Examples of traditional land uses include religious usage areas, such as mountains used for vision quests, and locations with certain indigenous plants and animals that may be integral to religions, cemeteries, or burials.

3.2.4 Treaties, Executive Orders, and Land Grants

Provide an overview of current government-to-government relations with Native Americans who retain legal rights to the geographical area where a facility or program is located. Identify known treaties, executive orders, and land grants that control these relations.

3.2.5 Recent Scientific Significance

Briefly describe the recent scientific significance of the facility or program. Identify facility mission, major scientific achievements, important events, dates, and personages associated with these accomplishments. The DOE historian may be an important source of information on the recent scientific significance. Guidance provided by the Departmental History Program should be used in the preparation of this section and in the analysis of historical comments, official project and departmental records, and oral histories (see DOE 1344.7A, *Departmental History Program*).

3.3 KNOWN CULTURAL RESOURCES

If cultural resources are known to exist at the facility or program area, this section should present information on the kind, number, and distribution of the known resources. Provide specific information on known cultural resources in the four subsections that follow. (See Appendix A, Glossary, for definitions of the terms used for the general and specific types of cultural resources in the following subsections.) The information on known cultural resources presented here should summarize the information contained in the facility or program cultural resource site records and in other sources (e.g., the National Register of Historic Places; state historic places registers; and state, county, and local

cultural resource site inventory files). If cultural resources are not recorded for the area in question, provide a statement about the probability of finding previously unknown cultural resources that may remain on the ground surface or buried beneath it. Describe evidence to support this conclusion.

When large numbers of cultural resource sites are documented, lists or tables should be prepared to summarize this information. Site data should be keyed to the site designation number and should specify, at a minimum, the following: the site type, the site's age or period (if known), and the site's National Register status (if applicable). If lists or tables are used, individual descriptions also may be appropriate for special examples of a particular site type or for other important resource types not identified as sites (see Figure 2). Lists or tables should summarize the full cultural resource site records that are on file at the DOE facility or program area.

The Archeological Resources Protection Act (ARPA) precludes public access to maps or other information concerning the nature and location of cultural resources under Subchapter II of Chapter 5 of Title 5 of the United States Code (Freedom of Information Act) or under any other provision of law unless certain conditions specified in the Act are met. Sections of the CRMP that contain maps or other information of this type should be considered sensitive, and distribution should be restricted appropriately.

3.3.1 Prehistoric Properties

Topics to be addressed in this section include districts, sites, structures, objects, and other important prehistoric properties that are known to exist at the facility or program area.

3.3.1.1 Districts, Sites, and Structures

Describe or list known prehistoric districts, sites, and structures at the facility or program area. Provide a map or maps of the facility or program area that show the location of each property. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.1.2 Objects

Describe or list any isolated or special prehistoric objects or object types recovered from, or known to be present at, the facility or program area. Provide current locational information for these properties. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.1.3 Other Important Properties

Describe or list any other special prehistoric properties recovered from, or known to be present at, the facility or program area. Examples of properties in this category are isolated features and important or unusual paleoenvironmental specimens. Provide current locational information for these properties. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

(Facility or Program Area Name)
Cultural Resource Management Plan
Known Site List

Site Number	Type	Date or Period	National Register Status

FIGURE 2 Cultural Resource Management Plan Known Site List Form

3.3.2 Historic Properties

Topics to be addressed in this section include historic districts, sites, buildings, structures, objects, and other important historic resources that are known to exist at the facility or program area.

3.3.2.1 Districts, Sites, Buildings, and Structures

Describe or list known historic and protohistoric districts, sites, buildings, and structures at the facility or program area. Provide a map or maps of the facility or program area that show the location of each property. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.2.2 Objects

Describe or list any isolated or special historic and protohistoric objects or object types recovered from, or known to be present at, the facility or program area. Provide current locational information for these properties. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.2.3 Other Important Properties

Describe or list any other special historic and protohistoric property types recovered from, or known to be present at, the facility or program area. Examples of properties in this category are isolated features or objects and important or unusual environmental specimens. Provide locational information for these properties. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.3 Resources of Ethnic Importance

Topics to be addressed in this section include sacred sites, traditional-use resources, Native American cultural items, and other resources of ethnic importance that are known to exist at the facility or program area. Publication restrictions on site descriptions and for locations are also discussed.

3.3.3.1 Sacred Sites

Following consultation with Native American tribes, it may be appropriate to describe or list known sacred sites at the facility or program area. Provide a map or maps of the facility or program area that show the location of each site. There may be Native American tribes that will not release descriptions, lists, or maps of known sacred sites at any facility or program area. Therefore, it is important for DOE to consult with individual tribal governments on a case-by-case basis before each project commences. The consultation process will determine the preferred strategy for managing sacred sites and the information that is restricted, recorded, and published on each sacred site.

When identifying and describing the locations and structures of sacred sites, exercise sensitivity to Native American and other ethnic concerns. Descriptions of sacred sites and any maps showing the locations of

these sites should be considered sensitive information and should not be included with any versions of the CRMP to which access is not appropriately restricted in accordance with legal requirements and agreements with Native Americans or other ethnic groups.

3.3.3.2 Traditional-Use Resources

Describe or list known traditional-use resources at the facility or program area. Provide a map or maps of the facility or program area that show the location of each resource area. Include references to appropriate treaty rights regarding specific resources (e.g., plants, animals, minerals, and natural features). (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.3.3 Native American Cultural Items

Describe or list any Native American cultural items that were previously recovered from, or are known to be present at, the facility or program area. Describe categories of items and provide locational information for these items. Discuss current procedures for establishing consultation with Native American tribes to manage cultural items that remain in situ at the facility or program area.

3.3.3.4 Other Resources of Ethnic Importance

Describe or list any other traditional resources of ethnic importance recovered from, or known to be present at, the facility or program area. Provide locational information for these resources. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.4 Properties of Recent Scientific Significance

Topics to be addressed in this section include districts, sites, buildings, structures, other facilities, objects, and other properties at the facility or program area that are associated with scientific, engineering, and other technological themes of historical significance.

3.3.4.1 Districts, Sites, Buildings, Structures, and Other Facilities

Describe or list the structures and other facilities of recent scientific significance at the facility or program area. Provide a map or maps of the facility or program area that show the location of each property. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.4.2 Objects

Describe or list any objects of recent scientific significance at the facility or program area. Examples of objects in this category include major pieces of equipment or apparatus. Provide locational information for these properties. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.3.4.3 Other Properties

Describe or list any other properties that have recent scientific significance at the facility or program area. Provide locational information for these properties. (See ARPA statement in Section 3.3, *Known Cultural Resources*.)

3.4 CRM ACCOMPLISHMENTS

This section of the CRMP should address past accomplishments in the management of the cultural resources present at the facility or program area. Accomplishments (i.e., achievements, deliverables) may exist in nine areas: records and reports, inventory, excavation, laboratory treatment, curation, preservation, research, outreach, and other CRM accomplishments. Present any pertinent introductory information concerning the facility's or program's CRM accomplishments. Provide specific information concerning these accomplishments in the subsections that follow. (See Appendix A, Glossary, for definitions of the terms used for general and specific types of CRM activities.)

When large numbers of CRM accomplishments are documented, use lists or tables to summarize projects by number (if assigned). At a minimum, the following information should be provided: the type of activity, the activity date(s), the method(s) used, and relevant findings or other results. One master list can be prepared for all accomplishments (except for record keeping and reporting). If lists or tables are used, individual descriptions of accomplishments also may be appropriate for special examples of the activity (see Figure 3).

ARPA precludes public access to maps or other information concerning the nature and location of cultural resources under Subchapter II of Chapter 5 of Title 5 of the United States Code (Freedom of Information Act) or under any other provision of law unless certain conditions specified in the Act are met. Sections of the CRMP that contain maps or other information of this type should be considered sensitive, and distribution should be restricted appropriately.

3.4.1 Cultural Resource Records and Reports

Topics to be addressed in this section include to-date facility or program accomplishments in the areas of cultural resource records and report compilations.

3.4.1.1 Cultural Resource Site Records

Describe the cultural resource site record system used by the facility or program. Include the cultural resource site form; site numbering system; site record cataloging system; site location mapping; and site record storage, access, and security. (As a plan attachment in Part 6 of the CRMP, include a copy of the cultural resource site form used by the facility or program.) (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

(Facility or Program Area)
Cultural Resource Management Plan
CRM Accomplishments List

Project Number	Type	Date(s)	Method(s)	Findings/Results

FIGURE 3 Cultural Resource Management Plan Accomplishments List Form

3.4.1.2 Cultural Resource Project Records

Describe the cultural resource project record system used by the facility or program. Include the cultural resource project form, project numbering system, project record cataloging system, project location mapping, and project record storage, access, and security. (As a plan attachment in Part 6 of the CRMP, include a copy of the cultural resource project form used by the facility or program.) (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.1.3 Other Cultural Resource Records

Describe any additional record systems used by the facility or program for inventory, excavation, laboratory treatment, curation, preservation, research, outreach, legal compliance, or other CRM activities. Include record categories such as notes, inventories of environmental samples, forms, photographs, drawings, and maps; the format of each record category; record cataloging systems; and record storage, access, and security. (As plan attachments in Part 6 of the CRMP, include copies of any forms used by the facility or program.) (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.1.4 Cultural Resource Reports

3.4.1.4.1 Standardized Report Outlines. Briefly describe any standardized format and content outlines that the facility or program uses to prepare internal reports on CRM activities such as inventory or excavation. (As plan attachments in Part 6 of the CRMP, include copies of any report outlines used by the facility or program.)

3.4.1.4.2 Report Library. Describe the system used for acquiring, storing, and accessing copies of reports and other written documents dealing with cultural resources at the facility or program area. (As a plan attachment in Part 6 of the CRMP, include a bibliography of the cultural reports and documents currently held by the facility or program. This bibliography should include archival records that have been compiled, such as historic agricultural and population censuses, land ownership records, and genealogies.)

3.4.2 Inventory

Topics to be addressed in this section include to-date accomplishments in the archival searches, ethnographic fieldwork, structure and facility surveys, archeological surveys, and other inventory activities that have been carried out at the facility or program area. Include pre- and post-facility or program inventory records (e.g., photographs and land transactions). This section should summarize existing inventory information.

3.4.2.1 Archival Searches

Describe or list any archival searches carried out to locate and retrieve information from archival records relating to the facility or program area. Provide a map or maps of the facility or program area that show the location of each cultural resource site for which archival information has been obtained. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.2.2 Ethnographic Fieldwork

Describe or list any ethnographic fieldwork projects conducted to identify and document resources of ethnic importance at the facility or program area. Provide a map or maps of the facility or program area that show the location of each cultural resource documented through ethnographic fieldwork. Identify tribal governments that have been contacted as part of these projects and briefly describe the scope and content of the consultations that have taken place. (See ARPA statement in Section 3.4, *CRM Accomplishments*.) Describe the strategy for involving tribal elders, traditional leaders, and other technical experts in ethnographic projects.

3.4.2.3 Structure and Facility Surveys

Describe or list any structure or facility surveys carried out to document buildings or other structures or facilities at the facility or program area. Provide a map or maps of the facility or program area that show the location and type of each structure or facility survey that has been conducted at the facility or program area. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.2.4 Structure and Facility Survey Status

Assess the current structure and facility survey status at the facility or program area. Discuss the effectiveness of the survey techniques used to identify buildings and other structures and facilities of historic or recent scientific significance. Provide a map or maps of the facility or program area that show unsurveyed areas. Also, summarize any currently existing plans for future large-scale survey projects. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.2.5 Archeological Surveys

Describe or list any archeological surveys carried out to locate and record cultural resources at the facility or program area. Specify the size of each archeological survey project. Provide a map or maps of the facility or program area that show the location and type of each archeological survey that has been conducted at the facility or program area (whether or not cultural resources have been located). (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.2.6 Archeological Survey Status

Assess the current archeological survey status of the facility or program area, specifying the size and percentage of surveyed and unsurveyed areas. Distinguish between levels of survey coverage based on sampling intervals. Discuss the effectiveness of various survey intervals for identifying cultural resource sites of different types, sizes, and artifact densities. Identify any presently unsurveyed areas that may not need to be surveyed and present the rationale for this finding (e.g., landscaped and constructed areas where soils that could contain cultural resources have been removed). Provide a map or maps of the facility or program area that show unsurveyed areas and are keyed to indicate those areas that will and will not require future surveys. Also, summarize any currently existing plans for future large-scale survey projects. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.2.7 Other Inventory Activities

Describe or list any other cultural resource inventory activities carried out to date at the facility or program area. Provide locational information for these activities. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.3 Excavation

This section should address the results of current and past archaeological excavations that have been carried out at the facility or program area. Topics to be discussed in this section include accomplishments to date involving test excavations and large-scale excavations of cultural resources that have been carried out at the facility or program area. Use charts and tables to summarize large data sets.

3.4.3.1 Test Excavations

Describe or list any test excavations carried out at cultural resource sites at the facility or program area. Describe the purpose or objectives of the excavation and the methods selected. Provide a map or maps of the facility or program area that show the location of each site at which test excavations have been conducted. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.3.2 Large-Scale Excavations

Describe or list any large-scale excavations carried out at cultural resource sites at the facility or program area. Describe the purpose or objectives of the excavation and the methods selected. Provide a map or maps of the facility or program area that show the location of each site at which large-scale excavations have been conducted. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.3.3 Excavation Status

Assess the current status of cultural resource excavations at the facility or program area. Specify the number and percentage of known sites at which excavations have occurred versus the number and percentage of unexcavated sites. Provide a map or maps of the facility or program area showing unexcavated sites. Also, summarize any currently existing plans for future large-scale excavation projects and state the purpose of these activities. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.4 Structure and Facility Management

Topics to be addressed in this section include accomplishments to date in documentation, maintenance, and mitigation of buildings and other structures and facilities of historic or recent scientific significance.

3.4.4.1 Structure and Facility Documentation

Describe or list any structure or facility documentation projects carried out at the facility program area. Discuss the methods used and identify any Historic American Buildings Survey or Historic American Engineering Record documentation produced. Provide a map or maps that show the location of each building or structure documented. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.4.2 Structure and Facility Maintenance

Describe or list any structure or facility maintenance projects carried out at the facility or program area. Discuss the purpose or objectives of the maintenance and the methods used. Provide a map or maps that show the location of each building or structure at which maintenance has been conducted. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.4.3 Structure and Facility Mitigation

Describe or list any structure or facility mitigation projects carried out at the facility or program area. Discuss the purpose or objectives of the mitigation actions and the methods selected. Provide a map or maps that show the location of each building or structure at which mitigation actions have been conducted. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.4.4 Structure and Facility Management Status

Assess the current status of structure and facility management at the facility or program area. Specify the number and percentage of known structures or facilities of historic or recent scientific significance at which management actions have occurred versus the number and percentage of those at which such actions have not occurred. Provide a map of the facility or program area that shows structures and facilities at which management actions have not been carried out. Also, summarize any currently existing plans for

future large-scale structure and facility management projects and state the purpose of these activities. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.5 Laboratory Treatment

Topics to be addressed in this section include accomplishments to date in processing and analysis of cultural resources and environmental samples that have been recovered at the facility or program area.

3.4.5.1 Processing

Describe any existing laboratory processing facilities and procedures for cultural resources that have been recovered at the facility or program area. Identify both internal processing facilities, and procedures and arrangements for processing by other institutions.

3.4.5.2 Analysis

Describe any existing laboratory analysis facilities and procedures for cultural resources that have been recovered at the facility or program area. Identify both internal analysis facilities, and procedures and arrangements for analysis by other institutions. Describe special types of studies that are being used because they are particularly well suited to better understanding the kinds of sites and artifacts recovered at a specific facility or program area.

3.4.5.3 Laboratory Treatment Status

Assess the current status of laboratory treatment of cultural resources that have been recovered at the facility or program area. As part of the assessment, evaluate the internal or external processing and analysis facilities and procedures utilized. Identify any large unprocessed or unanalyzed collections of cultural and/or environmental resources.

3.4.6 Curation

Topics to be addressed in this section include accomplishments to date concerning the curation of cultural resources that have been recovered at the facility or program area. Describe the strategy for involving tribal elders, traditional leaders, and other technical experts in curation of cultural resources.

3.4.6.1 Curation Facilities and Procedures

Describe any existing curation facilities and procedures for cultural resources that have been recovered at the facility or program area. Identify both internal curation facilities, and procedures and arrangements for curation by other institutions. Provide copies of collection policies, scope of collection, and collection assessment.

3.4.6.2 Curation Status

Assess the current curation status of cultural resources recovered at the facility or program area. Identify any resources or collections of resources recovered at the facility or program area that currently are inadequately curated.

3.4.7 Preservation

Topics to be addressed in this section include accomplishments to date involving the protection of cultural resources from natural and human forces at the facility or program area.

3.4.7.1 Protection from Natural Forces

Describe or list efforts to protect cultural resource sites at the facility or program area from the effects of natural forces (e.g., stabilization, special treatment, and repairs). Provide a map or maps of the facility or program area that show the location of each site at which such protection measures have been implemented. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.7.2 Protection from Human Forces

3.4.7.2.1 Authorized Actions. Describe or list efforts to protect cultural resource sites at the facility or program area from the effects of human forces resulting from authorized actions involving new construction, operational activities, repairs, remedial actions, etc. Examples of these kinds of protection activities are project screening and tracking systems, monitoring plans, site marking, physical protection (e.g., fencing), and CRM training. Provide a map or maps of the facility or program area that show the location of each site at which such protection measures have been implemented. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.7.2.2 Illegal Acts. Describe or list efforts to protect cultural resource sites at the facility or program area from the effects of human forces resulting from illegal acts. Examples of these kinds of protection activities are site signing, site patrols, electronic monitoring, on-site surveillance, physical protection (e.g., fencing), and archeological resource protection training. Provide a map or maps of the facility or program area that show the location of each site at which such protection measures have been implemented. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.7.3 Preservation Status

Assess the current status of cultural resource preservation at the facility or program area. Specify the number and percentage of known sites at which protection measures have been implemented and the number and percentage of those that are unprotected. Provide a map or maps of the facility or program area that show unprotected sites. (See ARPA statement in Section 3.4, *CRM Accomplishments*.)

3.4.8 Research

Describe or list any prehistoric, historic, or ethnographic research projects dealing with cultural resources at the facility or program area. Discuss the status of facility or program accomplishments in cultural resource research and identify any major issues that should be the subject of future research efforts. Also, discuss the status of the development of a facility or program cultural resource research design. If this research design already exists, provide a copy.

3.4.9 Outreach

Topics to be addressed in this section include accomplishments to date involving outreach activities on and off the DOE site that are related to cultural resources at the facility or program area.

3.4.9.1 Activities on the DOE Site

Describe or list any cultural resource outreach activities that have been carried out on the DOE site at the facility or program area (e.g., the development of museums on the DOE site, publications of institutional histories).

3.4.9.2 Activities Not on the DOE Site

Describe or list any cultural resource outreach activities that have been carried out by facility or program staff at other locations off the DOE site (e.g., publications by staff members on the prehistory or history of the facility or program in journals or other sources).

3.4.9.3 Outreach Status

Assess the current status of facility or program cultural resource outreach activities.

3.4.10 Other CRM Accomplishments

Topics to be addressed in this section include any other CRM accomplishments to date at the facility or program area that were not identified in previous sections of the CRMP.

3.5 LEGAL COMPLIANCE ACCOMPLISHMENTS

General CRM accomplishments at the facility or program area may have been designed to meet legal compliance requirements that apply to these resources under the following authorities: the National Historic Preservation Act (NHPA); Executive Order 11593; 36 CFR Part 800: Protection of Historic and Cultural Properties; the American Indian Religious Freedom Act (AIRFA); the Archeological Resources Protection Act (ARPA); the Native American Graves Protection and Repatriation Act (NAGPRA); and 36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections.

In this section, present general information on the facility's or program's legal compliance accomplishments. In the following subsections, present specific information concerning these accomplishments. (See Appendix A, Glossary, for definitions of the terms related to the legal compliance requirements that apply to cultural resources.)

3.5.1 NHPA, Executive Order 11593, and 36 CFR Part 800

Topics to be addressed include Sections 106 and 110 of NHPA, Section 2 of Executive Order 11593, and 36 CFR Part 800. Assess the current status of facility or program compliance with these legal authorities by providing the information indicated below.

3.5.1.1 NHPA, Sections 106 and 110(f), and 36 CFR Part 800

Discuss existing procedures for taking into account the effects of projects on National Historic Landmarks, National Register properties, and National Register eligible properties and for affording the Advisory Council on Historic Preservation the opportunity to comment on these effects. These procedures may be the subject of a Programmatic Agreement negotiated by the facility or program with the Advisory Council on Historic Preservation and the State Historic Preservation Officer pursuant to 36 CFR Part 800.13. If so, the terms of the agreement should be summarized here. (As a plan attachment in Part 6 of the CRMP, include a copy of the proposed agreement.)

3.5.1.2 NHPA, Sections 110(a)-(e) and (g)-(j), and Executive Order 11593, Section 2

Address efforts to protect and nominate National Register eligible resources. When large numbers of cultural resource sites are known to exist at the facility or program area, use a table to present information on their National Register nomination status. Also, discuss other steps taken to comply with these sections of the law and the executive order.

3.5.2 AIRFA

Assess the current status of facility or program efforts to implement AIRFA. Discuss steps carried out to evaluate the facility's or program's policies and procedures. Provide information documenting consultation with Native American tribal and traditional leaders to determine appropriate changes necessary to access, protect, and preserve Native American religious cultural rights and practices.

3.5.3 ARPA

Topics to be emphasized here are Sections 10(c) and 14 of ARPA. Assess the current status of facility or program compliance with these sections of the law by providing the information indicated.

3.5.3.1 ARPA, Section 10(c)

Discuss any outreach activities or other efforts designed to increase public awareness of the significance of cultural resources at the facility or program area and the need to protect these resources.

3.5.3.2 ARPA, Section 14

Address any steps taken to develop plans and to prioritize schedules for archeological surveys of the lands at the facility or program area. Also discuss any efforts to create a documentation system for violations of the act.

3.5.4 NAGPRA

Topics to be emphasized here are Sections 5, 6, and 7 of NAGPRA. Assess the current status of facility or program compliance with these sections of the law by providing the information indicated below.

3.5.4.1 NAGPRA, Section 5

Identify any steps taken to compile an inventory of facility or program holdings or collections of Native American human remains and associated funerary objects.

3.5.4.2 NAGPRA, Section 6

Discuss any efforts to develop a written summary of facility or program holdings or collections of Native American unassociated funerary objects, sacred objects, or objects of cultural patrimony.

3.5.4.3 NAGPRA, Section 7

Identify any actions taken by the facility or program to repatriate Native American cultural items in accordance with the provisions of NAGPRA, Section 7.

3.5.5 36 CFR Part 79

Assess the current status of facility or program compliance with 36 CFR Part 79. Discuss any steps carried out to follow the standards, provisions, and guidelines of 36 CFR Part 79 for the preservation of collections of prehistoric and historic material remains and associated records that have been recovered under the authority of Federal cultural resource permits at the facility or program area.

4 DESCRIPTION OF PART 4 OF THE CRMP

The CRMP should address CRM methods. The prescribed format and content of the headings and subheadings under this part are as follows and should reflect the same numerical outline as shown below.

4 CRM METHODS

There are a variety of professionally accepted, effective methods related to preparing and maintaining records and reports, inventory, excavation, laboratory treatment, curation, preservation, and outreach that should be used to develop CRM procedures at the facility or program area. In the following subsections, provide specific information concerning facility or program CRM methods. (See Appendix A, Glossary, for definitions of the terms used in relation to CRM methodology.)

4.1 RECORDS AND REPORTS

This section should address methods for preparing and maintaining facility or program cultural resource records and reports. (Clearly indicate, in Section 4.1.1, whether the existing cultural resource records and reports system described in Part 3, Section 3.4.1, or some parts of that system, will continue in effect.)

4.1.1 Cultural Resource Site Records

Describe the system to be used for facility or program cultural resource site records. Address the cultural resource site form, site numbering system, site record cataloging system, site location mapping, and site record storage, access, and security. (As a plan attachment in Part 6 of the CRMP, include a copy of the cultural resource site form to be used.) Cultural resource site records must be maintained permanently at the DOE site. Indicate how permanent, cumulative maintenance of records will be accomplished.

4.1.2 Cultural Resource Project Records

Describe the system to be used for facility or program cultural resource project records. Address the cultural resource project form, project numbering system, project record cataloging system, project location mapping, and project record storage, access, and security. (As a plan attachment in Part 6 of the CRMP, include a copy of the cultural resource project form or permit.)

4.1.3 Other Cultural Resource Records

Describe any other record keeping systems, in addition to site records and project records, to be used for facility or program cultural resource activities. Include record categories (inventory, excavation, laboratory treatment, curation, preservation, research, outreach, legal compliance, or other CRM activities) and the

format(s) of each record category (e.g., notes, forms, photographs, drawings, and maps; record cataloging systems; and records storage, access, and security). (As plan attachments in Part 6 of the CRMP, include copies of any such forms.)

4.1.4 Cultural Resource Reports

4.1.4.1 Standardized Report Outlines

Describe any standardized format and content outlines for reports on facility or program CRM activities such as inventory or excavation. (As plan attachments in Part 6 of the CRMP, include copies of any report outlines to be used.)

4.1.4.2 Report Library

Describe the system that will be used for acquiring, storing, protecting, and accessing copies of reports and other written documents dealing with cultural resources at the facility or program area.

4.2 INVENTORY

This section should address methods for cultural resource inventory activities to be used at the facility or program area. The methods should be appropriate for the specific cultural resource inventory conditions associated with the facility or program area and take into account the recommendations made by consulting tribal governments.

4.2.1 Archival Searches

Describe the methods to be used for locating and retrieving information from archival records relating to cultural resources at the facility or program area. The types of archival records known to exist for the facility or program area will help determine the types of archival search methods that are appropriate and how broad an area must be investigated (e.g., county, municipal, and family records).

4.2.2 Ethnographic Fieldwork

Describe the ethnographic fieldwork methods to be used for identifying and documenting resources of ethnic importance at the facility or program area. The usefulness of different ethnographic methods, such as participant observation or interviewing, will depend on various characteristics of the groups, which may have religious or other affiliations to cultural resources at the facility or program area. Native American religions are not organized in a bureaucratic structure or hierarchy, such as non-Native American religions, which generally have a national or international level of organization. Interaction with Native Americans should take place through their individual tribal governments and the elder, traditionalist, native practitioner, etc., designated by the tribe to address cultural/religious issues. When ethnographic fieldwork

involving the traditional lands and resources of several tribes will take place, it may be necessary to contact multiple tribal governments and their cultural/religious representatives.

4.2.3 Structure and Facility Surveys

Describe the structure or facility survey methods to be used for locating and recording buildings and other structures and facilities of historic or recent scientific significance at the facility or program area. The survey methods used will be determined by the type and integrity of the buildings, structures, or facilities being recorded.

4.2.4 Archeological Surveys

Describe the archeological survey methods to be used for locating and recording cultural resources at the facility or program area. Describe the strategy for involving tribal elders, traditional leaders, and other technical experts recognized by the tribes in designing and implementing archaeological surveys. Conservative approaches that avoid false negative findings and results are recommended. Environmental conditions and cultural resource characteristics are important factors in developing the sampling procedure or selecting a more appropriate method. For example, shovel tests or surface stripping may be required to locate certain types of cultural resources at some locations, but not at others.

In addition to addressing the types of archeological surveys that are appropriate at the facility or program area, identify all applicable coverage requirements, such as survey transect intervals and other statistically valid sampling strategies. If shovel test surveys are to be conducted, identify the shovel test intervals to be used and the rationale for selecting each interval in locating previously unknown sites. If surface walk-over is used in an arid environment or if plowing/disking is selected, identify the transect interval to be used and the rationale for selecting each interval in locating previously unknown sites.

The methods selected for site identification also should be conservative and designed to locate the total range of site types and sizes, particularly in areas scheduled for new construction projects. (See Appendix A, Glossary, for terms used to describe archeological survey methods.)

4.3 EXCAVATION

This section should address methods to be used for cultural resource excavations at the facility or program area and take into account the recommendations made by consulting tribal governments. Methods should be appropriate for the specific cultural resource excavation conditions associated with the facility or program area. Methods also should be selected to maximize the kinds of data recovered.

4.3.1 Test Excavations

Describe the methods for conducting test excavations of cultural resources at the facility or program area. Identify any established correlations between site types and the effectiveness of particular survey and test excavation methods. If surface stripping of overburden may be required prior to conducting test excavations, discuss the circumstances under which this method will be used.

4.3.2 Large-Scale Excavations

Describe the methods selected for conducting large-scale excavations of cultural resources at the facility or program area. Describe the advantages and disadvantages of specific methods that are selectively utilized. If surface stripping of overburden may be required prior to conducting large-scale excavations, discuss the circumstances under which this method will be used.

4.4 STRUCTURE AND FACILITY MANAGEMENT

This section should address the methods to be used for management of buildings and other structures and facilities of historic or recent scientific significance at the facility or program area. Methods should be appropriate for the structure and facility management conditions associated with the facility or program area.

4.4.1 Structure and Facility Documentation

Describe the methods to be used for structure and facility documentation. Identify the criteria to be used for selection of full Historic American Buildings Survey or Historic American Engineering Board documentation versus less exhaustive documentation.

4.4.2 Structure and Facility Maintenance

Describe the methods to be used for structure and facility maintenance. Maintenance methods should be selected that will most effectively preserve the historic or scientific integrity of the structure or facility.

4.4.3 Structure and Facility Mitigation

Describe the methods to be used for structure and facility mitigation. In addition to full Historic American Buildings Survey or Historic American Engineering Board documentation, methods should be identified that potentially may be used to mitigate the unavoidable loss of buildings or other structures or facilities of historic or recent scientific significance. Dismantlement and reconstruction of a building, structure, or facility at a new location would be one potential type of mitigation method.

4.5 LABORATORY TREATMENT

This section should address the laboratory treatment methods to be used for processing and analyzing cultural resources recovered at the facility or program area. Methods should be appropriate for the specific types of cultural resources known to be present at the facility or program area and take into account the recommendations made by consulting tribal governments.

4.5.1 Processing

Describe the methods to be used for laboratory processing of cultural resources recovered at the facility or program area. Identify any known materials that will require special treatment during processing (e.g., carbon and macrobotanical samples from flotations). Discuss any new internal facilities or external arrangements with other institutions that will be necessary to effectively process recovered materials.

4.5.2 Analysis

Describe the methods to be used for laboratory analysis of cultural resources recovered at the facility or program area. Discuss new analytical methods that could help to answer questions about the kind, number, and distribution of site types (e.g., petrographic analysis of ceramics, lithic microwear, blood residues, and spectrographic analysis of artifactual source materials). If a particular facility or program has special analytical capabilities in an area that is well suited to the cultural resource investigators, specialized research is encouraged in this technical area. Discuss any new internal facilities or external arrangements with other institutions that will be necessary to effectively analyze recovered materials.

4.6 CURATION

This section should address curation methods to be used for cultural resources recovered at the facility or program area (cultural resources include all categories of materials identified in 36 CFR Part 79, Curation of Federally-Owned and Administered Archeological Collections, such as organic material and environmental and chronometric specimens). The curation methods must be appropriate for the specific types of cultural resources known to be present at the facility or program area and take into account the recommendations made by consulting tribal governments. It is particularly important to develop a strategy for involving tribal elders, traditional leaders, and other technical experts recognized by the tribes in the curation of items that a tribal government believes are culturally sensitive.

4.6.1 Preservation

Describe the preservation methods to be used for handling, cleaning, stabilizing, and conserving collections of cultural resources recovered at the facility or program area.

4.6.2 Inventory, Accession, Labeling, and Cataloging

Describe the methods to be used for inventorying, accessioning, labeling, and cataloging collections of cultural resources recovered at the facility or program area.

4.6.3 Identification, Evaluation, and Documentation

Describe the methods to be used for identifying, evaluating, and documenting collections of cultural resources recovered at the facility or program area.

4.6.4 Storage and Maintenance

Describe the methods to be used for storing and maintaining collections of cultural resources recovered at the facility or program area, including appropriate containers, environmental conditions, and physical security controls.

4.6.5 Periodic Inspection and Remedial Preservation

Describe the schedule, quality assurance plan, and methods to be used for periodic inspection and remedial preservation of collections of cultural resources recovered at the facility or program area.

4.6.6 Study

Describe the methods to be used for providing controlled access and facilities for study of collections of cultural resources recovered at the facility or program area.

4.7 PRESERVATION

This section should address the preservation methods to be used for cultural resources recovered at the facility or program area. (This discussion should deal with preservation of in-situ cultural resources as opposed to preservation of collections, already addressed in Section 4.6.1.) Methods should be appropriate for the specific cultural resource preservation conditions associated with the facility or program area and take into account the recommendations made by consulting tribal governments. Permits may be used in this context. Provide a copy of the relevant permit forms in Part 6, Plan Attachments, of the CRMP.

4.7.1 Natural Forces

Describe the methods, procedures, and quality assurance systems to be used for protecting cultural resources at the facility or program area from the effects of natural forces. Known correlations between the types of natural forces occurring and the kinds and degrees of cultural resource damage will help determine the most effective types of physical protection measures. It is noted that some tribal

governments believe that there are cultural items that must not be handled but left undisturbed where they are found and allowed to disintegrate into the earth.

4.7.2 Human Forces

4.7.2.1 Authorized Actions

Describe the quality assurance systems to be used for protecting cultural resources at the facility or program area from the effects of human forces resulting from authorized actions. Methods may include physical measures at or in association with the resources, such as more effective site marking or project monitoring, and administrative initiatives in areas, including project planning, tracking, and quality assurance.

4.7.2.2 Illegal Acts

Describe the methods to be used for protecting cultural resources at the facility or program area from the effects of human forces resulting from illegal acts. Address prevention, detection, and investigation of the acts as well as prosecution of those responsible.

4.8 OUTREACH

This section should address methods to be used for outreach activities dealing with the cultural resources at the facility or program area. Methods should be appropriate for the specific types of cultural resources known to be present at the facility or program area and take into account the recommendations made through consultation with tribal governments and other interested parties.

4.8.1 Activities on the DOE Site

Describe the methods and procedures to be used for conducting, on the DOE site, outreach activities dealing with the cultural resources at the facility or program area. Factors that should be discussed include the types, locations, and conditions of cultural resources, security, and other operational requirements relative to methods used at the DOE site.

4.8.2 Activities Not on the DOE Site

Describe the methods and procedures to be used for conducting, off the DOE site, outreach activities dealing with the cultural resources at the facility or program area. The range of outreach methods used off the DOE site will depend on factors such as facility or program staff availability and the nature of outside interest.

4.9 INTERAGENCY INFORMATION EXCHANGE

EH will develop guidance for a data management system for recording sites and for technical reports. A consistent data management system is intended to facilitate the interagency exchange of information.

5 DESCRIPTION OF PART 5 OF THE CRMP

Part 5 should address CRM Procedures and Administration. The prescribed format and content of the headings and subheadings under this part are as follows and should reflect the same numerical outline as shown below.

5 CRM PROCEDURES AND ADMINISTRATION

5.1 COMPLIANCE PROCEDURES — NHPA, Executive Order 11593, 36 CFR Parts 60, 63, 65, 79, and 800

Procedural requirements concerning cultural resources are placed on Federal agencies and Federally licensed or assisted activities by NHPA; Executive Order 11593; 36 CFR Part 60 (National Register of Historic Places); 36 CFR Part 63 (Determinations of Eligibility for Inclusion in the National Register of Historic Places); 36 CFR Part 65 (National Historic Landmarks Program); 36 CFR Part 79 (Curation of Federally-Owned and Administered Archeological Collections); and 36 CFR Part 800 (Protection of Historic and Cultural Properties). These authorities establish requirements pertaining to (1) projects, activities, and programs that may affect cultural resources; (2) National Register of Historic Places nominations; (3) National Historic Landmarks designation and recognition; and (4) future archeological surveys.

This section should discuss compliance with the requirements of these legal authorities at the facility or program area. Specific information on compliance procedures should be provided. If the procedures for compliance with Section 106 of NHPA are the subject of a Programmatic Agreement, this section of the CRMP should refer to the summary of the agreement presented in Part 3.5.1.1 and the copy of the agreement provided as an attachment. If the facility or program intends to negotiate a Programmatic Agreement for compliance with Section 106 of NHPA, the terms of the proposed agreement should be summarized here. (See Appendix A, Glossary, for definitions of terms related to NHPA; Executive Order 11593; and 36 CFR Parts 60, 63, 65, 79, and 800.)

5.1.1 Initiation of Compliance Procedures for Undertakings

Address the procedures to be used for preconstruction project planning and evaluation; identification of projects that may affect cultural resources; notification of the CRM staff; consultation to assess information needs; and authorizing, funding, planning, and scheduling of archeological surveys and other field studies. These procedures must comply with the requirements of Sections 106 and 110(f) of NHPA and 36 CFR Part 800.4. (See Figure 4 for a diagram of the Section 106 review process established by 36 CFR Part 800.4.)

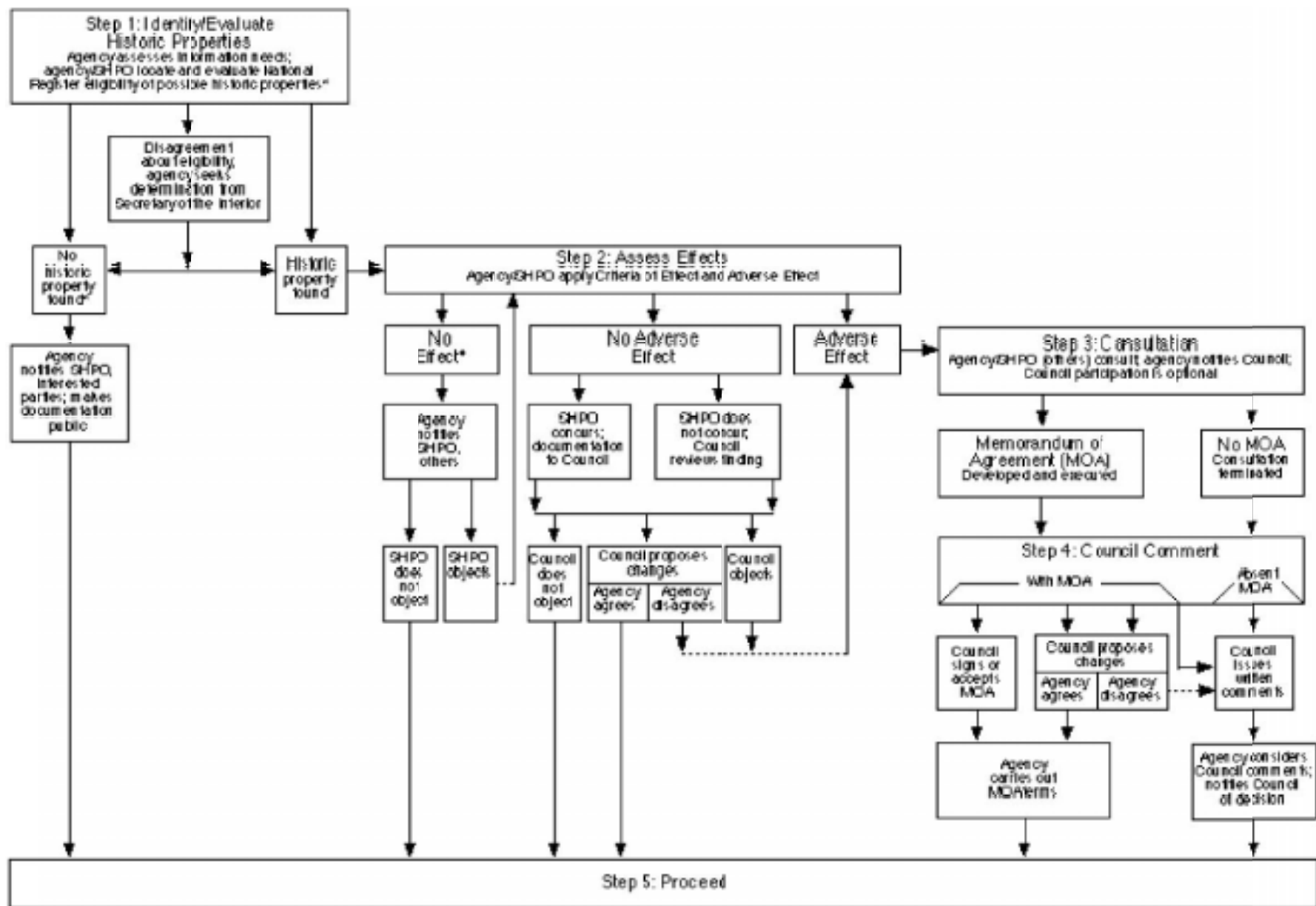


FIGURE 4 Section 106 Review Process Established by 36 CFR Part 800.4 (Source: *Working with Section 106 — Identification of Historic Properties: A Decisionmaking Guide for Managers*, Advisory Council on Historic Preservation, National Park Service, U.S. Department of the Interior, Sept. 1988)

A Brief Look at Section 106 Review

(Source: Taken directly from Figure 1, page 8, in *Working with Section 106 — Identification of Historic Properties: A Decisionmaking Guide for Managers*, issued by the Advisory Council on Historic Preservation, National Park Service, U.S. Department of the Interior, Sept. 1988)

How does Section 106 review work?

The standard review process is spelled out in Federal regulations issued by the Advisory Council on Historic Preservation. Entitled "Protection of Historic Properties," the regulations appear in the U.S. Code of Federal Regulations at 36 CFR Part 800. The process involves five basic steps, as follow.

Step 1: Identify and evaluate historic properties

The Federal agency responsible for an undertaking begins by identifying the historic properties the undertaking may affect. To do this, the agency first reviews background information and consults with the State Historic Preservation Officer (SHPO) and others who may know about historic properties in the area. Based on this review the agency determines what additional surveys or other field studies may be needed, and conducts such studies.

If properties, that is, districts, sites, buildings, structures, or objects, are found that may be eligible for inclusion in the National Register of Historic Places, but have not yet been included in the Register, the agency evaluates them against criteria published by the National Park Service, which maintains the Register. This evaluation is carried out in consultation with the SHPO, and if questions arise about the eligibility of a given property, the agency may seek a formal determination of eligibility from the Secretary of the Interior. If a property has already been included in the National Register, of course, further evaluation is not ordinarily necessary. Section 106 review gives equal treatment to properties that have already been included in the Register and those that are eligible for inclusion.

Step 2: Assess effects

If historic properties, that is, properties included in or eligible for inclusion in the National Register, are found, the

agency then assesses what effect its undertaking will have on them. Again the agency works with the SHPO, and considers the views of others. The agency makes its assessment based on criteria found in the Council's regulations, and can make one of three determinations:

- No effect: the undertaking will not affect historic properties;
- No adverse effect: the undertaking will affect one or more historic properties, but the effect will not be harmful;
- Adverse effect: the undertaking will harm one or more historic properties.

Step 3: Consultation

If an adverse effect will occur, the agency consults with the SHPO and others in an effort to find ways to make the undertaking less harmful. Others who are consulted, under various circumstances, may include local governments, Indian tribes, property owners, other members of the public, and the Council. Consultation is designed to result in a Memorandum of Agreement (MOA), which outlines measures agreed upon that the agency will take to reduce, avoid, or mitigate the adverse effect. In some cases the consulting parties may agree that no such measures are available, but that adverse effects must be accepted in the public interest.

If consultation proves unproductive, the agency or the SHPO, or the Council itself, may terminate consultation. The agency must submit appropriate documentation to the Council and request the Council's written comments.

Step 4: Council comment

The Council may comment during step 3 of the process, by participating in consultation and signing the resulting MOA. Otherwise, the agency obtains Council comment by submitting the

MOA to the Council for review and acceptance. The Council can accept the MOA, request changes, or opt to issue written comments. If consultation was terminated, the Council issues its written comments directly to the agency head, as the agency had requested.

Step 5: Proceed

If an MOA is executed, the agency proceeds with its undertaking under the terms of the MOA. In the absence of an MOA, the agency head must take into account the Council's written comments in deciding whether and how to proceed.

Alternative approaches

The Section 106 regulations also spell out three alternative means of complying with Section 106. These are

- Programmatic Agreements among an agency, the Council, one or more SHPOs, and others;
- Counterpart regulations developed by an agency and approved by the Council;
- An agreement between the Council and a State, which substitutes a State review system for the standard Section 106 review process.

FIGURE 4 (Cont.)

5.1.1.1 Preconstruction Project Planning and Evaluation

Describe, in general terms, the procedures for preconstruction project planning and evaluation at the facility or program area. Particularly address any aspects of these procedures that take into account and seek to eliminate potential effects of the project or other undertaking on cultural resources. Identify the staff position that has responsibility for these procedures.

5.1.1.2 Identification of Projects That May Affect Cultural Resources

Describe the procedures that will be used to determine that a proposed project, activity, or program at the facility or program area constitutes an undertaking that may affect cultural resources. Proposed CERCLA, RCRA, and NEPA related actions should be carefully assessed to determine if cultural resources may be affected. Assessment will require input from technical specialists. Identify the staff position assigned responsibility for this determination.

5.1.1.3 Notification of CRM Staff

If the CRM staff is not directly involved in the process discussed in Section 5.1.1.2, describe the procedures by which the CRM staff will be notified of projects or other undertakings that may affect cultural resources. Identify the staff position assigned responsibility for this notification.

5.1.1.4 Consultation to Assess Information Needs

Describe the procedures that will be used to consult with the State Historic Preservation Officer on further actions necessary to identify cultural resources that may be affected. Also describe procedures for consultation with local governments, Native Americans, and public and private organizations likely to have knowledge of or concerns about cultural resources in the area of the project or other undertaking. For instance, the policies, procedures, and technical actions of DOE 1230.2 should be followed regarding consultation with Native Americans. Examples of appropriate points of contact for consultation with Native Americans include the following: the official tribal governing body, tribal cultural resource office, tribal council cultural issues committees, and district and community residents. Identify the staff position assigned responsibility for these consultation requirements.

5.1.1.5 Authorizing, Funding, Planning, and Scheduling Archeological Surveys and Other Field Studies

Describe the procedures to be used for authorizing, funding, planning, and scheduling archeological surveys or other field studies necessary to identify cultural resources that may be affected by the project or other undertaking. Identify the staff position assigned responsibility for these administrative procedures.

5.1.2 Identification of Cultural Resources That May Be Affected

This section should address the procedures to be used for identifying and gathering information about known and unknown cultural resources that may be affected by projects or other undertakings at the facility or program area. These procedures must comply with the requirements of Sections 106 and 110(f) of NHPA and 36 CFR Part 800.4.

5.1.2.1 Identification of Known Cultural Resources

Describe the procedures to be used to identify known cultural resources that may be affected by projects or other undertakings. Identify the sources of information, such as State Historic Preservation Officers, Native Americans and other ethnic groups, or archival records. Discuss the strategy for involving tribal elders, traditional leaders, and other technical experts recognized by the tribes in the development and implementation of cultural resource identification projects.

5.1.2.2 Surveys and Other Field Studies

Describe the procedural steps to be followed to accomplish ethnographic, structure and facility, or archeological surveys, and other field studies in project areas or where there are other scheduled undertakings. Address procedures for selection of survey methods; field logistics; preparation and maintenance of survey records; and laboratory treatment, analysis, and curation of resources and recovered data. Describe the steps that will be taken to obtain the advice of appropriate Native American traditional religious leaders to help ensure recognition of sacred resources, such as natural features and plants, which might not be identified as cultural resources by standard survey or other field study techniques.

5.1.2.3 Report Preparation and Review

Describe the procedures to be used for preparation and internal review of reports on archeological surveys and other field studies. Address assignment of report authorship responsibilities, legal compliance documentation and other content standards, completion deadlines, and circulation and review requirements.

5.1.3 Consultation When No Cultural Resources Are Identified

Describe the procedures to be used for consultation when no cultural resources have been identified that may be affected by projects or other undertakings. These procedures must comply with the requirements of Sections 106 and 110(f) of NHPA and 36 CFR Part 800.4. Specify how the finding that "no cultural resources are present" will be documented for the State Historic Preservation Officer, how interested persons and parties will be notified, and how documentation will be made available to the public. Identify the staff position assigned responsibility for these consultation procedures.

5.1.4 Evaluation of Cultural Resources Identified

This section should address procedures to be used for evaluating cultural resources that may be affected by projects or other undertakings, and consultation on the evaluation of such resources. These procedures must comply with the requirements of Sections 106 and 110(f) of NHPA and 36 CFR Part 800.4.

5.1.4.1 Evaluation

Describe the procedures to be used to evaluate the National Register eligibility of cultural resources that may be affected by projects or other undertakings. Specify how the views of Native Americans or members of other ethnic groups will be obtained when the cultural resource being evaluated has or may have ethnic importance. Identify the staff position assigned responsibility for evaluations and review of evaluations.

5.1.4.2 Consultation

Describe the procedures to be used for consultation with the State Historic Preservation Officer and, if necessary, the Keeper of the National Register concerning the evaluation of the National Register eligibility of cultural resources that may be affected by projects or other undertakings. Identify the staff position assigned responsibility for consultation.

5.1.5 Assessing and Avoiding or Reducing Effects on Cultural Resources

This section should address procedures for assessing the effects of projects or other undertakings on cultural resources, identifying ways to avoid or reduce effects, and associated consultation and documentation. These procedures must comply with the requirements of Sections 106 and 110(f) of NHPA and 36 CFR Parts 800.4, 800.5, 800.6, 800.8, and 800.10. They should fully describe the steps that will be taken to involve the State Historic Preservation Officer, Native Americans and other ethnic groups, and other interested parties in the process of assessing and avoiding or reducing effects.

5.1.5.1 Assessing Effects

Describe the procedures to be used to assess the effects of projects or other undertakings on cultural resources. These procedures must be designed to follow 36 CFR Part 800.5 and should reflect a proactive approach. Identify the staff position assigned responsibility for these assessments.

5.1.5.2 Identifying Ways to Avoid or Reduce Effects

Describe the procedures to be used to identify ways to avoid or reduce effects on cultural resources through avoidance, data recovery, or mitigation. These procedures must be designed to follow 36 CFR Part 800.8 and should reflect a proactive approach. Identify the staff position assigned responsibility for proposing these strategies.

5.1.5.3 Consultation and Documentation

Describe the procedures to be used for meeting the consultation and documentation requirements of 36 CFR Parts 800.5, 800.6, 800.8, and 800.10, when assessing effects, when no effect is found, or when an effect is found. (Use of a flowchart accompanying the narrative is recommended.) Identify the staff position assigned responsibility for carrying out the consultation and documentation procedures.

5.1.6 Unanticipated Discoveries of Cultural Resources

Describe the procedures to be followed when it is learned that an in-progress project or other undertaking, for which compliance procedures were completed, will affect a previously unidentified cultural resource that may be eligible for inclusion in the National Register or will affect a known cultural resource in an unanticipated manner. These procedures must comply with the requirements of Sections 106 and 110(f) of NHPA and 36 CFR Part 800.11. Procedures should be designed to ensure that coordination takes place in the implementation of Section 106 of NHPA and Section 3(d) of NAGPRA (see Appendix C). Identify the staff position assigned responsibility for the unanticipated discovery procedures.

5.1.7 National Register of Historic Places Nominations

Describe the procedures to be used to evaluate cultural resources for eligibility and to nominate eligible cultural resources at the facility or program area to the National Register of Historic Places. These procedures must comply with the requirements of Sections 101 and 110(a)(2) of NHPA, Section 2(a) of Executive Order 11595, and 36 CFR Parts 60 and 63. Identify the staff position assigned responsibility for evaluations of eligibility.

5.1.8 National Historic Landmarks Designation and Recognition

Describe the procedures to be used to designate and formally recognize National Historic landmarks at the facility or program area. These procedures must comply with the requirements of Section 101 of NHPA and 36 CFR Part 65. Identify the staff position assigned responsibility for the National Historic landmarks procedures.

5.1.9 Future Location, Inventory, and Nomination of Cultural Resources to the National Register

Describe the procedures to be used to locate, inventory, and nominate to the Keeper of the National Register all cultural resources at the facility or program area that appear to qualify for inclusion on the National Register. Describe plans and schedules to carry out broad-scale archival and field surveys to inventory cultural resource sites. Discuss how this information will be used to ensure that the stewardship responsibilities of DOE are being achieved on the individual facility or program lands. These procedures must comply with the requirements of Sections 101 and 110(a)(2) of NHPA, Section 2(a) of Executive Order 11595, and 36 CFR Parts 60 and 63. Identify the staff position assigned responsibility for the location, inventory, and nomination procedures.

5.2 ARPA COMPLIANCE PROCEDURES

ARPA also places certain procedural requirements on Federal agencies. These requirements pertain to increasing public awareness, planning and scheduling archeological surveys, and reporting suspected violations. In this section, discuss compliance with the requirements of ARPA at the facility or program area and provide specific information concerning compliance procedures. (See Appendix A, Glossary, for definitions of terms related to ARPA.)

5.2.1 Increasing Public Awareness

Describe the procedures to be used to develop and implement, in compliance with the requirements of Section 10(c) of ARPA, a program to increase public awareness of the significance of cultural resources at the facility or program area and the need to protect them. Identify the staff position assigned responsibility for implementing the public awareness procedures.

5.2.2 Planning and Scheduling Archeological Surveys

State how the surveys of archeological resources on lands at the facility or program area will be completed. Describe the procedures to be used to determine the nature and extent of the archeological resources, beginning with the lands likely to contain those that are most scientifically valuable. Provide a schedule for completing these surveys. Survey plans and schedules are necessary for compliance with the requirements of Sections 14(a) and (b) of ARPA. Identify the staff position assigned responsibility for the planning and scheduling procedures.

5.2.3 Reporting Suspected Violations

Describe the procedures to be used to document suspected ARPA violations at the facility or program area, in compliance with the requirements of Section 14(c) of ARPA. Identify the staff position assigned responsibility for the violation documentation procedures.

5.3 AIRFA PROCEDURES

In this section, provide procedures for meeting the intent of AIRFA. General procedures address, but may not be limited to, (1) identification of Native American tribes that have treaty and traditional interests in the resources known to exist at the facility or program area; (2) documentation for tribal interest by resource type and location (if appropriate); (3) selection of the principal investigator and staff that can include Native Americans who are qualified to advise managers on where and when AIRFA studies are appropriate and have responsibility for conducting the AIRFA studies; (4) determination of where and when AIRFA studies should be scheduled; (5) incorporation of governmental as well as traditional groups into the design and assessment phases of the AIRFA studies; and (6) establishment of facility or program policy and protocol for tribal consultation on development of the AIRFA studies as well as the ethnohistoric or prehistoric studies carried out under separate legislation. Note that AIRFA staff (e.g., ethnographers and Native Americans) are likely to require separate personnel from those involved

with the inventory and evaluation of archeological sites and items (e.g., archeologists and historians). Teams of Native American tribal representatives, archeologists, and ethnographers should be coordinated by managers who have environmental responsibilities. Identify who has the overall responsibility for implementing AIRFA procedures.

5.4 NAGPRA COMPLIANCE PROCEDURES

NAGPRA requires protection and repatriation of Native American cultural items found on or taken from Federal or tribal lands. There are specific procedural requirements pertaining to five areas: (1) intentional excavation and removal of Native American cultural items; (2) inadvertent discovery of Native American cultural items; (3) an inventory for Native American human remains and associated funerary objects; (4) a summary for Native American unassociated funerary objects, sacred objects, and cultural patrimony; and (5) repatriation of Native American cultural items upon request by the appropriate group. (Protection of Native American human remains and cultural items from illegal trafficking is considered to be an aspect of protecting cultural resources at the facility or program area from illegal acts; see Section 5.6.3.) In this section, provide information concerning compliance with the requirements of NAGPRA at the facility or program area and provide specific information concerning compliance procedures. (See Appendix A, Glossary, for definitions of terms related to NAGPRA.)

5.4.1 Intentional Excavation and Removal of Native American Cultural Items

This section should address procedures for intentional excavation and removal of Native American cultural items at the facility or program area. (Issuance of permits for these activities under ARPA should be discussed as part of Section 5.8.3, Permitting.) These procedures must comply with the requirements of NAGPRA, Sections 3(a), (b), and (c).

5.4.1.1 Consultation or Consent

Describe the procedures to be followed to consult with or, in the case of tribal lands, obtain the consent of the appropriate Indian tribe or Native Hawaiian organization (if any), before Native American cultural items are excavated or removed. Address how proof of consultation or consent will be demonstrated. Identify the staff position assigned responsibility for these consultation and consent procedures.

5.4.1.2 Ownership and Right of Control

Describe the procedures to be followed to establish ownership and right of control of the disposition of the Native American cultural items that are excavated or removed from the facility or program lands. Identify the staff position assigned responsibility for implementing these ownership and right of control procedures.

5.4.2 Inadvertent Discovery of Native American Cultural Items

This section should address procedures to be used when Native American cultural items are inadvertently discovered at the facility or program area. These procedures must comply with the requirements of NAGPRA, Sections 3(a), (b), and (d) and be coordinated with procedures designed for the implementation of Section 106 of NHPA (see Appendix C).

5.4.2.1 Discovery

Describe the procedures that will be followed upon inadvertent discovery of Native American cultural items as outlined in Section 3(d) of NAGPRA. Address the following: (1) notification of the Secretary of Energy through the appropriate established procedures (also notify the DOE FPO) and Native American groups, as required; (2) cessation of activities in the area of the discovery; (3) protection of the cultural items discovered; (4) certification by the Secretary of Energy and Native American groups that notification has been received; and (5) resumption of activities after certification. Identify the staff position assigned responsibility for these procedures resulting from such discoveries.

5.4.2.2 Disposition and Control

Describe the procedures to be used for disposition and control over any Native American cultural items excavated or removed as a result of inadvertent discoveries. Identify the staff position assigned responsibility for these disposition and control procedures.

5.4.3 Inventory for Native American Human Remains and Associated Funerary Objects

This section should address procedures to be used for an inventory of Native American human remains and associated funerary objects at the facility or program area. These procedures must comply with the requirements of NAGPRA, Section 5.

5.4.3.1 Inventory Compilation

Describe the procedures to be used to compile an inventory of holdings or collections of Native American human remains and associated funerary objects possessed or controlled by the facility or program. Address how the inventory will identify the geographic and cultural affiliations of such items to the extent possible, based on information possessed by the facility or program. Specify when the inventory will be scheduled for completion and how it will be made available to the review committee established under Section 8 of NAGPRA, both while being compiled and upon completion. Identify the staff position assigned responsibility for these inventory compilation procedures.

5.4.3.2 Consultation

Describe the procedures to be followed to consult with tribal governments, Native Hawaiian organization officials, and traditional religious leaders in compiling the inventory of holdings or collections of Native American human remains and associated funerary objects. Identify the staff position assigned responsibility for these consultation procedures.

5.4.3.3 Supplemental Documentation

Describe the procedures to be used to supply, upon request, to Indian tribes or Native Hawaiian organizations additional available documentation to supplement the information in the inventory of Native American human remains and associated funerary objects. Identify the staff position assigned responsibility for these supplemental documentation procedures.

5.4.3.4 Notification

Describe the procedures to be followed to notify affected Indian tribes or Native Hawaiian organizations if the cultural affiliation of any particular Native American human remains and associated funerary object is determined through the inventory process. Address how the six-month time limit for notification following the completion of the inventory will be met. Identify the staff position assigned responsibility for these notification procedures.

5.4.4 Summary of Native American Unassociated Funerary Objects, Sacred Objects, and Cultural Patrimony

This section should address procedures to create a summary of Native American unassociated funerary objects, sacred objects, and cultural patrimony at the facility or program area. These procedures must comply with the requirements of NAGPRA, Section 6.

5.4.4.1 Summary

Describe the procedures to be used to provide a written summary of holdings or collections of Native American unassociated funerary objects, sacred objects, and cultural patrimony possessed or controlled by the facility or program. Address how the summary will describe the scope of the collection, kinds of objects included, geographical location, means and period of acquisition, and cultural affiliation, where readily ascertainable. Specify when the summary will be scheduled for completion and identify the staff position assigned responsibility for these summary procedures.

5.4.4.2 Consultation

Describe the procedures to be followed to consult with tribal governments, Native Hawaiian organization officials, and traditional religious leaders following the completion of the summary of holdings or

collections of Native American unassociated funerary objects, sacred objects, and cultural patrimony. Identify the staff position assigned responsibility for these consultation procedures.

5.4.4.3 Access

Describe the procedures to be used for Indian tribes or Native Hawaiian organizations to have access, upon request, to records, catalogs, relevant studies, or other pertinent data for the purposes of determining the geographic origin, cultural affiliation, and basic facts surrounding acquisition and accession of holdings or collections of Native American unassociated funerary objects, sacred objects, and cultural patrimony. Address the provision of this access in a reasonable manner agreed upon by all parties and identify the staff position assigned responsibility for these access procedures.

5.4.5 Repatriation of Native American Cultural Items

This section should address procedures for repatriation of Native American cultural items from the facility or program area. These procedures must comply with the general intent of NAGPRA, Section 7, and the specific requirements of Sections 7(a)(5) and 7(b), (c), and (e).

5.4.5.1 Repatriation of Culturally Affiliated Native American Human Remains and Associated Funerary Objects

Describe the procedures to be used to expeditiously return Native American human remains and associated funerary objects upon the request of a known lineal descendant, when the cultural affiliation of such items with a particular Indian tribe or Native Hawaiian organization is established. Address consultation with the lineal descendant to determine the place and manner of delivery of the items. Identify the staff position assigned responsibility for these repatriation procedures.

5.4.5.2 Repatriation of Culturally Affiliated Native American Unassociated Funerary Objects, Sacred Objects, or Objects of Cultural Patrimony

Describe the procedures to be followed to expeditiously return Native American unassociated funerary objects, sacred objects, or objects of cultural patrimony upon the request of the particular Indian tribe or Native Hawaiian organization with which the cultural affiliation of such items is established. Address consultation with the tribe or organization to determine the place and manner of delivery of the items. Identify the staff position assigned responsibility for these repatriation procedures.

5.4.5.3 Repatriation of Culturally Unaffiliated or Uninventoried Native American Human Remains and Funerary Objects

In the case of Native American human remains and funerary objects for which cultural affiliation was not established in Section 5.4.3, Inventory, or in Section 5.4.4, Summary, or that were not included in the inventory or summary, describe the procedures to be used to expeditiously return such items upon request

by an Indian tribe or Native Hawaiian organization that can show cultural affiliation according to the standards of NAGPRA, Section 7(a)(4). Identify the staff position assigned responsibility for these repatriation procedures.

5.4.5.4 Sharing of Information

Describe the procedures to be followed to share what information the facility or program has on any cultural object in question with the known lineal descendant, Indian tribe, or Native Hawaiian organization to assist in making a claim for repatriation of the object. Identify the staff position assigned responsibility for these information-sharing procedures.

5.5 36 CFR PART 79 COMPLIANCE PROCEDURES

36 CFR Part 79 places requirements on the curation of Federally owned and administered archeological collections. There are requirements pertaining to the following six areas: management and preservation of collections; methods to secure curatorial services; terms and conditions of contracts, memoranda, and agreements for curatorial services; standards to determine when a repository possesses the capability to provide long-term curatorial services; use of collections; and conduct of inspections and inventories.

In this section, present any pertinent introductory comments concerning compliance with the curation requirements by the facility or program. In the following subsections, provide specific information on compliance procedures. (See Appendix A, Glossary, for definitions of terms related to 36 CFR Part 79.)

5.5.1 Management and Preservation of Collections

This section should address procedures to be used for long-term management and preservation of pre-existing and new collections recovered at the facility or program area, and retention and maintenance of administrative records on the disposition of each collection. These procedures must meet the requirements of 36 CFR Part 79.5.

5.5.1.1 Pre-existing Collections

Describe the procedures for ensuring that pre-existing collections already in repositories are being properly managed and preserved. Address how the curatorial services currently provided for these collections will be reviewed and evaluated and how any deficiencies will be remedied. Identify the staff position assigned responsibility for these procedures.

5.5.1.2 New Collections

Describe the procedures for ensuring that new collections from the facility or program area are deposited in a repository meeting the requirements of 36 CFR Part 79.5(b). Identify the staff position assigned responsibility for these procedures.

5.5.1.3 Administrative Records

Describe the procedures for retention and maintenance of administrative records on the disposition of each collection. These records will include the categories of information specified in 36 CFR Part 79.5(c). Identify the staff position assigned responsibility for these procedures.

5.5.2 Methods to Secure Curatorial Services

Describe the procedures to be used by the facility or program to secure curatorial services. Address how these procedures incorporate the methods and guidelines provided in 36 CFR Part 79.6(a) and (b). Identify the staff position assigned responsibility for these procedures.

5.5.3 Methods to Fund Curatorial Services

Describe the procedures to be followed to ensure that sufficient funds are available for adequate long-term care and program collections. Methods that may be utilized are identified in 36 CFR Part 79.7(a) through (e). Identify the staff position assigned responsibility for these procedures.

5.5.4 Terms and Conditions of Contracts, Memoranda, and Agreements for Curatorial Services

Describe the procedures to be used by the facility or program to ensure that any contract, memorandum, agreement, or other appropriate written instrument for curatorial services entered into by or on behalf of the responsible facility or program official, the repository official, and any other appropriate party contains the terms and conditions identified in 36 CFR Part 79.8(a) through (g). (Include copies of all existing proposed documents of this type as plan attachments in Part 6 of the CRMP.) Identify the staff position assigned responsibility for those procedures.

5.5.5 Repository Standards

Describe the procedures to be followed by the facility or program to determine that a repository has the capability to provide adequate long-term curatorial services. Address how it will be ascertained that the repository meets each of the standards identified in 36 CFR Part 79.9(a) and (b). Identify the staff position assigned responsibility for these procedures.

5.5.6 Use of Collections

This section should address scientific and educational uses of collections, religious uses of collections, terms and conditions of such uses, and written agreements for use. The procedures established should describe the steps that will be taken to consult with appropriate Native American groups or other ethnic groups concerning scientific, educational, or religious uses of collections.

5.5.6.1 Scientific and Educational Uses

Describe the procedures to be followed to ensure that collections from the facility or program area are made available to qualified professionals for scientific and educational uses. These procedures must comply with the requirements of 36 CFR Part 79.10 (a) and (b). Identify the staff position assigned responsibility for these procedures.

5.5.6.2 Religious Uses

Describe the procedures to be followed to ensure that collections from the facility or program area are made available to appropriate persons for religious uses. These procedures must comply with the requirements of 36 CFR Part 79.10 (a) and (c). Identify the staff position assigned responsibility for these procedures.

5.5.6.3 Terms and Conditions of Uses

Describe the procedures to be followed to ensure that scientific, educational, or religious uses of collections from the facility or program area are in accordance with the terms and conditions identified in 36 CFR Part 79.10 (d) (1) through (5). Identify the staff position assigned responsibility for these procedures.

5.5.6.4 Written Agreements for Use

Describe the procedures to be followed to meet the requirements for written agreements for scientific, educational, or religious uses of collections from the facility or program area, as required and specified for such agreements in 36 CFR Part 79.10 (e) (1) through (6). Identify the staff position assigned responsibility for these procedures. (As plan attachments in Part 6 of the CRMP, include copies of any collection use-agreement forms and any existing, written use-agreements.)

5.5.7 Conduct of Inspections and Inventories

Describe the procedures to be used for inspections and inventories of collections from facility or program areas. The conduct of such inspections and inventories must comply with the requirements of 36 CFR Part 79.11. Identify the staff position assigned responsibility for these procedures.

5.6 PROTECTION PROCEDURES

Both NHPA and ARPA require protection of cultural resources on Federal lands. NHPA also extends this requirement to cultural resources that might be affected by Federally licensed or assisted projects, activities, or programs. The major factors that may necessitate protection actions by Federal agencies are natural forces, authorized actions, and illegal acts.

In this section, present any pertinent introductory comments concerning cultural resource protection at the facility or program area. In the following subsections, provide specific information concerning protection procedures. (See Appendix A, Glossary, for definitions of terms related to NHPA and ARPA.)

5.6.1 Natural Forces

This section should address monitoring, consultation, and restoration and repair procedures for the effects of natural forces on cultural resources at the facility or program area.

5.6.1.1 Monitoring

Describe the procedures to be used to monitor cultural resources at the facility or program area for the effects of natural forces. Address the following: monitoring strategies, such as inspections and instrument metering; the frequency at which affected cultural resources will be monitored; and the staff who will carry out the monitoring and their training in this technical area. Identify the staff position assigned responsibility for the monitoring procedures.

5.6.1.2 Consultation

Describe the procedures to be followed for consultation with the State Historic Preservation Officer, Native American tribes, and other interested parties on the effects of natural forces on cultural resources at the facility or program area. Address how to determine if the effects of natural forces have become severe enough to require the formal legal compliance procedures discussed in Section 5.1. Identify the staff position assigned responsibility for the consultation procedures.

5.6.1.3 Restoration and Repair

Describe the procedures to be used to select and implement appropriate restoration and repair measures for the effects of natural forces on cultural resources at the facility or program area. Address, in general terms, the types of restoration that may be employed. Identify the staff position assigned responsibility for the restoration and repair procedures.

5.6.2 Authorized Actions

This section should address project screening, monitoring, consultation, and restoration and repair procedures for the effects of authorized actions on cultural resources at the facility or program area.

5.6.2.1 Project Screening and Tracking

Describe the procedures to be used to screen and track authorized projects that could produce unintended effects on cultural resources at the facility or program area. Specify how staff cultural resource

professionals will be notified of these projects. Identify the staff position assigned responsibility for the project screening and tracking procedures.

5.6.2.2 Monitoring

Describe the procedures to be used to monitor authorized projects that could produce unintended effects on cultural resources at the facility or program area. Address monitoring strategies and the frequency at which monitoring will occur. Identify the staff position assigned responsibility for the monitoring procedures.

5.6.2.3 Consultation

Describe the procedures to be followed for consultation with the State Historic Preservation Officer, Native American tribes, and other interested parties concerning unintended effects of authorized projects on cultural resources at the facility or program area. Address how to determine if unintended effects of authorized projects are severe enough to require the formal legal compliance procedures discussed in Section 5.1. Identify the staff position assigned responsibility for the consultation procedures.

5.6.2.4 Restoration and Repair

Describe the procedures to be used to select and implement appropriate restoration and repair measures for unintended effects of authorized projects on cultural resources at the facility or program area. Address, in general terms, the types of restoration and repair that may be employed. Identify the staff position assigned responsibility for the restoration and repair procedures.

5.6.3 Illegal Acts

This section should address detection, investigation, prosecution, consultation, restoration and repair, and prevention procedures for illegal acts affecting cultural resources at the facility or program area.

5.6.3.1 Detection

Describe the procedures to be used to detect illegal acts affecting cultural resources at the facility or program area. Identify who has lead responsibility for the law enforcement aspects of these procedures, such as physical and electronic surveillance, and what assistance should be provided by other personnel.

5.6.3.2 Investigation

Describe the procedures to be used to investigate illegal acts affecting cultural resources at the facility or program area, including case report preparation. Identify who has lead responsibility for these procedures and what assistance should be provided by other personnel. Also, specifically discuss cultural resource

damage assessment and identify the staff position assigned responsibility for this aspect of the overall investigation.

5.6.3.3 Prosecution

Describe the internal procedures to be followed in preparing for the prosecution of cases involving illegal acts affecting cultural resources at the facility or program area. Identify who has lead responsibility for cooperation with the Department of Justice and what assistance should be provided by other personnel.

5.6.3.4 Consultation

Describe the procedures to be followed for consultation with the State Historic Preservation Officer, Native American tribes, and other interested parties concerning the effects of illegal acts on cultural resources at the facility or program area. Address how detection, investigation, and prosecution of these illegal acts, as well as restoration and repair of their effects, will be integrated with the formal legal compliance procedures discussed in Section 5.1. Identify the staff position assigned responsibility for the consultation and compliance procedures.

5.6.3.5 Restoration and Repair

Describe the procedures to be used to select and implement appropriate restoration and repair measures for the effects of illegal acts on cultural resources at the facility or program area. Address, in general terms, the types of restoration and repair that may be employed. Identify the staff position assigned responsibility for the restoration and repair procedures.

5.6.3.6 Prevention

Describe the procedures to be used to prevent illegal acts affecting cultural resources at the facility or program area. Identify which outreach methods discussed in Section 4.2.8 of Part 4 will be used in this effort. Also address how the prevention procedures will be integrated with the public awareness program required by Section 10(c) of ARPA and discussed in Section 5.2.1 of Part 5. Identify the staff position assigned responsibility for the prevention procedures.

5.7 TREATY RIGHTS PROCEDURES

5.7.1 Technical Actions

Describe the administrative procedures to be used to ensure that the following technical actions have taken place: (1) a detailed search has been completed to identify the Native American tribes with which DOE managers will consult; (2) a thorough treaty search has been completed, which should include executive orders and agreements (formal and operational) between the Indian nations and the Federal government;

(3) research to identify Native American tribes and treaties is carried out by qualified staff who are knowledgeable concerning Native American custom and culture, as well as Federal Indian law; (4) research data and results are shared with tribal officials and, when available, tribal archival information receives consideration; and (5) current operation and new construction planning information for facilities and programs is shared to the maximum extent feasible with Indian nations impacted and at the earliest point in time possible. Treaty sources could include *Indian Treaties 1778-1883* (Kappler 1972)⁴; Federal, tribal, and state archives; and computer legislative services (for executive orders and establishing legislation). Identify the staff position assigned responsibility for these administrative procedures.

5.7.2 Regulatory Compliance

Describe the administrative procedures to be used to achieve regulatory compliance and ensure that (1) conditions specified in existing treaties are being met; (2) consultation regarding planned projects takes place with appropriate tribal officials, traditional and contemporary, elected and appointed; (3) consultation includes consideration for the need to maintain confidentiality of certain types of information, particularly regarding religious activities; and (4) protection of sites, objects, resources, and geographic areas, and information regarding these locations and/or objects, will be provided to Native Americans. Identify the staff position assigned responsibility for these administrative procedures.

5.7.3 Administrative Procedures

Describe the administrative procedures that have been developed to ensure that (1) the Federal trust responsibility arising from the treaty relationships is carried out; (2) Native American religious practices remain viable through access to religious and ceremonial sites and protected from alteration and disturbance; and (3) applicable Federal law regulating sacred objects, funerary items, and human remains is enforced. Identify the staff position assigned responsibility for these administrative procedures.

5.8 CRM ADMINISTRATION

Implementation of CRM methods and procedures at the facility or program area requires administrative actions in at least seven areas: staffing and contracting, training, permitting, CRM facilities, curation, quality assurance, and consultation on administration. In this section, present any pertinent introductory comments concerning CRM administration at the facility or program area. Also include a description of the independent quality assurance system that will be put in place to provide oversight on each of the seven administrative task areas. In the following subsections, provide specific information concerning administrative activities. (See Appendix A, Glossary, for definitions of terms related to CRM administration.)

⁴ *Indian Treaties, 1778-1883*, compiled and edited by Charles J. Kappler, New York Publications, Interland Publishing, Inc. (1972).

5.8.1 Staffing and Contracting

Using text and graphics, describe the administrative structure for activating the cultural resource technical staff. Define how cultural resource experts will be incorporated into the environmental management structure that supports operational activities for facilities or programs (proposed construction activities, current land use management decisions, long-term operational goals, etc.). This section should also address efforts made to identify and use Native Americans in cultural resource staff positions or as contractors. (Use of Native Americans in these positions is desirable when cultural resource activities are carried out by DOE programs on tribal lands.)

The names of and position descriptions for the designated cultural resource staff should be provided, including archeologists, historians, ethnologists, architectural historians and historic planners, and other specialists, as appropriate. The principal investigator and support staff should have advanced academic training as well as demonstrated regional expertise. (Information on how to choose an archeological consultant can be found in *Local Preservation*.⁵) Résumés of the principal investigator and key staff specialists should be appended to the facility or program CRMP in Part 6, Plan Attachments.

5.8.2 Training

Describe the training strategy and training schedules for Federal and contract administrative staff with responsibilities. In addition, identify the administrative strategy to be used to enhance the DOE operational knowledge concerning the cultural resource technical staff and the incentives used to encourage staff professional development. Identify the facility or program officer responsible for training. Training is sponsored by other Federal agencies such as the Advisory Council on Historic Preservation, National Park Service, and Federal Law Enforcement Training Center.

5.8.3 Permitting

Describe the administrative structure and technical management of the cultural resource permitting system. Discuss permitting procedures in this section for (1) internal cultural resource compliance and research actions, (2) external investigations of cultural resources located on facility or program lands, (3) loan of cultural resource collections and items outside of the designated repository, and (4) providing access to Native Americans or members of other traditional cultures for visitation to sensitive areas located on lands owned or managed by DOE facilities or programs.

5.8.4 CRM Facilities

Describe the administrative plan and designated responsibilities for operating a CRM facility on DOE-owned or -managed lands. Identify the location of the facilities to be used to support all CRM activities. Include facilities that have short- and long-term uses. Discuss the mechanisms to be used to ensure that

⁵ Parker, P.L., *Local Preservation*, Interagency Resources Division, National Park Service, Washington, D.C. (May 1987).

cultural resource information and objects are managed cumulatively and not periodically discarded or transferred to locations off the DOE site, such as Federal archival repositories.

5.8.5 Curation

Describe the administrative plans for the curation of all records, artifacts, and samples that have been and will be obtained from cultural resource sites on facility or program properties. Identify the designated repository and designated individual responsible for meeting the curation requirements of 36 CFR Part 79.

5.8.6 Quality Assurance

Describe an independent quality assurance system to be established to provide oversight on each of the seven administrative task areas. This quality assurance system is intended to be used for the internal management of contractors and technical individuals implementing the cultural resource management programs on DOE facility and program lands. Technical reviewers should have no direct or indirect economic, administrative, or regulatory relationships with the cultural resource staff who are responsible for any of the separate task areas (Sections 5.8.1 through 5.8.7).

5.8.7 Consultation on Administration

Identify procedures that would be used to meet this administrative goal. Describe the steps that will be taken to improve the effectiveness of CRM program administration by consulting with the Advisory Council on Historic Preservation; the State Historic Preservation Officer; other Federal, state, or local government officials; Native Americans and other ethnic groups; or other interested parties.

5.8.8 Other Administrative Activities

Describe other administrative activities that are an integral part of the facility or program area's CRM program but that are not discussed under the other subtopics in this section. For example, the administration of outreach programs and consultation with Native American tribes could be addressed here.

6 DESCRIPTION OF PART 6 OF THE CRMP

Include as the final part of the CRMP, Part 6, Plan Attachments.

6 PLAN ATTACHMENTS

Plan attachments are any supporting documents that the facility or program should include with the plan to support the text provided (e.g., site forms, project record forms, and laboratory processing forms). Documents other than those specifically identified in these guidelines may also be attached. Plan attachments should also include the résumés of the plan preparers as well as the principal investigator and other key technical staff specialists who will implement the CRMP.

APPENDIX A

GLOSSARY

APPENDIX A

GLOSSARY

Advisory Council on Historic Preservation: The advisory body to the President and Congress on CRM activities created by Section 106 of the National Historic Preservation Act. Sections 106 and 110 of this act require that the heads of Federal agencies afford the Advisory Council an opportunity to comment when Federal projects or undertakings or Federally funded or licensed projects or undertakings have the potential to affect cultural resources listed on or eligible for inclusion on the National Register of Historic Places or designated as National Historic Landmarks. Section 110 also sets forth the broad responsibilities that all Federal agencies have to manage their historic properties.

Analysis: Examination and classification of cultural resources or data about them. Important types of analysis are typological (what a resource is); chronological (how old it is); technological (how it was made); functional (how it was used); and stylistic (what are important characteristics of its appearance).

Archeological Research: The scientific study of cultural resources through the analysis of prehistoric and historic material remains and data about them recovered during archeological survey, excavation, and analysis.

Archeological Resource: ". . . Any surface, subsurface or submerged location such as a site, building, structure, shipwreck, cave, rockshelter, midden or feature which contains material remains of prehistoric and historic human life or activities that are at least 100 years of age and are of archeological interest." (36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections, Section .4[a])

Archeological Survey: The process used to locate and record basic information about prehistoric and historic cultural resources in the field. Archeological survey methods include walking over the project area, walking over and shovel-testing the area, and walking over the area following plowing and disking.

Archeological Survey Report: A type of cultural resource report that documents the methods, findings, and any other important information about an archeological survey.

Architectural or Engineering Survey: The process used to produce or collect measured drawings, photographs, and written records that document historic buildings and structures, as well as objects such as equipment and apparatus. The data-gathering techniques involved may be required

to meet the Historic American Buildings Survey or Historic American Engineering Record standards of the National Park Service.

Archival Records: Unpublished documentary records of human existence in the past that are deposited in archives. Examples of important types of archival information are historic period chronicles of Native American groups and sites; period descriptions of the construction, occupancy, and use of historic buildings and other structures; and documentary records of properties associated with recent scientific achievements.

Archival Search: The process used to locate and retrieve information from archival records relating to cultural resources.

Artifact: An object made or modified by humans.

Artifact Type: A class or group of objects in an artifact classification system, defined on the basis of some type of shared physical, measurable, and observable attributes.

Authorized Action: A formally approved project, activity, or other undertaking at the facility or program area.

Avoidance: Modification of a project or other undertaking so that effects on cultural resources that would have resulted from the originally designed actions do not occur.

Building: A ". . . structure created to shelter any form of human activity, such as a house, barn, church, hotel, or similar structure. Building may refer to a historically related complex such as a courthouse and jail or a house and barn." (36 CFR Part 60: National Register of Historic Places, Section .3[a])

Collection: Any ". . . material remains that are excavated or removed during a survey, excavation, or other study of a prehistoric or historic resource, and associated records prepared or assembled in connection with the survey, excavation, or other study." (36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections, Section .4[b]; definitions of the terms "material remains" and "associated records" are provided in Sections .4[a] and .4[b], respectively)

Consultation: The process used to obtain the views or advice of parties concerned with the management of cultural resources. Consultation is required by law or regulation in some instances and is advisable whenever concerned or interested parties are known to exist. Examples of the types

of parties who might be contacted in the consultation process are the Advisory Council on Historic Preservation; the State Historic Preservation Officer; other Federal, state, local, or tribal government officials; members of the public; Native Americans; members of other ethnic groups; and professional or avocational archeologists, historians, and anthropologists. (National Historic Preservation Act, Section 110 [a][2][d])

Context: The locations at which cultural resources, such as sites, artifacts, features, or specimens, occur as a result of the human behavior that produced them. Context is extremely important because most past human behavior is reflected not by material objects themselves, but by how they are situated in relationship to one another.

Cultural Context: An organizational format that groups information about related cultural resources, based on a theme, geographical area or cultural landscape, and chronological period. A cultural context describes one or more aspects of the cultural development of an area and identifies the significant human behavior patterns that individual cultural resources represent.

Cultural Resource¹: "Cultural resources include, but are not limited to, the following broad range of items and locations: (1) archeological materials (artifacts) and sites dating to the prehistoric, historic, and ethnohistoric periods that are currently located on the ground surface or are buried beneath it; (2) standing structures that are over 50 years of age or are important because they represent a major historical theme or era; (3) cultural and natural places, select natural resources, and sacred objects that have importance for Native Americans and other ethnic groups; and (4) American folklife traditions and arts." (DOE Guidance Memorandum of February 1990)

Cultural resources include anything that is an "historic property" as defined in 36 CFR Part 800: Protection of Historic and Cultural Properties, Section .2(e); an "archeological resource" as defined in 43 CFR Part 7: Archeological Resources Protection Act, Section 3 and the Act's Uniform Regulations, Section .3(a); a Native American "cultural item" as defined in Native American Graves Protection and Repatriation Act, Section 2(3); or part of a "collection" as defined in 36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections, Section .4(b).

Major types of cultural resources referenced in the Plan Development Guidelines are prehistoric resources, historic resources, resources of ethnic importance, and properties of recent scientific significance. Other specific types referred to include prehistoric, historic, and protohistoric sites, structures, artifacts, specimens, and isolated features; sacred sites, traditional-use resources, and Native American cultural items; recent structures, facilities, equipment, and apparatus that have scientific significance; and environmental samples (e.g., carbon and macrobotanical samples from flotations).

¹ These definitions were developed in 1989 in cooperation with staff from the U.S. Department of the Interior, the Advisory Council on Historic Preservation, the National Congress of American Indians, and the Native American Rights Fund.

Cultural Resource Location Base Map: A map that serves as the permanent record of the locations of known cultural resource sites.

Cultural Resource Management (CRM): Management of the cultural resources at facility or program areas in accordance with the applicable laws and regulations, DOE guidance, and professional scientific standards. The overall goal of CRM is preservation of cultural resources, either in situ or through appropriate scientific recovery and curation of either the resources themselves or information about them.

Cultural Resource Professional: Individuals who have training and experience qualifying them as professionals in fields related to the study and management of cultural resources, such as prehistoric archeology, historic archeology, history, and ethnography. Their training and experience should be appropriate for the area and position in which they work. (48 FR 44716: Archeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines, 44739)

Cultural Resource Project Records: The records system used to document legal compliance and other CRM activities at facility or program areas.

Cultural Resource Records: Cultural resource site records, cultural resource project records, and other forms designed specifically to document and track inventory, excavation, laboratory treatment, curation, preservation, research, outreach, legal compliance, and any other CRM activities.

Cultural Resource Reports: Written reports documenting CRM or research activities, such as inventory or excavation.

Cultural Resource Research: Archeological, historic, or ethnographic research on topics such as chronology, environmental reconstruction, settlement pattern and site location models, demography, technology, economic organization, social organization, political organization, religion and ideology, art, language and oral traditions, historical events and personages, recent scientific achievements, and CRM methodology.

Cultural Resource Site: A place where cultural resource materials, such as artifacts, features, and specimens, have been deposited as a result of some purposeful form of human activity.

Cultural Resource Site Form: A form used to record basic, inventory-level information about cultural resources.

Cultural Resource Site Records: The records system used to document cultural resources found at the facility or program area. These records include site forms, site catalogs, and site location base maps.

Curation: ". . . The management and care of collections according to common, professional museum practices, including, but not limited to: (1) inventorying, accessioning, labeling and cataloging collections; (2) identifying, evaluating and documenting collections; (3) storing and maintaining collections under appropriate environmental conditions and physically secure controls; (4) periodically inspecting collections and taking any necessary actions as may be necessary to preserve them; (5) providing access to and facilities for studying collections; and (6) cleaning, stabilizing and conserving collections." (36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections, Section .4[c])

Curatorial Services: The activities involved in ". . . managing and preserving a collection according to professional museum and archival practices." (36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections, Section .4[b]; the specific types of activities involved also are identified in Section .4[b])

Damage Assessment: The procedures carried out by a professional archeologist to identify and document the archeological elements of the damage in a violation of laws or regulations protecting cultural resources; for example, the determination of commercial value, archeological value, and cost of restoration and repair in an Archeological Resources Protection Act case.

Detection: Discovery of a violation of laws or regulations protecting cultural resources that results in an investigation of the violation and an attempt to prosecute the suspected violator(s).

District: A ". . . geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history." (36 CFR Part 60: National Register of Historic Places, Section .3[d])

DOE Site: A geographic entity with a well-marked boundary over which DOE exercises access control authority. Sites may contain multiple areas and multiple facilities in addition to undeveloped land. Examples of sites include the Hanford Site, Savannah River Site, Brookhaven National Laboratory, Los Alamos National Laboratory, Kansas City Plant, and Pantex Plant.

Effect: An action involving a cultural resource that ". . . may alter characteristics of the property that may qualify the property for inclusion in the National Register." (36 CFR Part 800:

Protection of Historic and Cultural Properties, Section .9[a]; the criteria of adverse effect are identified in Section .9[b])

Ethnic Importance: Of religious value or other cultural significance to Native Americans or other ethnic groups.

Ethnographic Fieldwork: The process used to identify and document resources of ethnic importance. Examples of important types of ethnographic fieldwork are recordation of oral histories, informant interviews, and observation and documentation of current uses and practices.

Ethnographic Research: The scientific study of cultural resources through the analysis of data gathered during ethnographic fieldwork.

Ethnohistoric: Pertaining to periods when the history of an ethnic group was maintained and passed on orally rather than by written records.

Evaluation: Application of ". . . the National Register criteria to [cultural resource] properties that may be affected by . . . [an] undertaking and that have not been previously evaluated for National Register eligibility." (36 CFR Part 800: Protection of Historic and Cultural Properties, Section .4[c]) Evaluation can also be the "process of determining whether identified properties meet defined criteria of significance and therefore should be included in an inventory of historic properties determined to meet the criteria. The criteria employed vary depending on the inventory's use in resource management." (48 FR 44716: Archeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines, Standards for Evaluation)

Excavation: The controlled exposure of subsurface deposits at prehistoric and historic cultural resource sites in order to scientifically recover archeological materials and data from these sites. The two basic types of excavations are test excavations and large-scale excavations.

Facility: Buildings and other structures; their functional systems and equipment, including site development features such as landscaping, roads, walks, and parking areas; outside lighting and communications systems; central utility plants; utilities supply and distribution systems; and other physical plant features. (DOE 4700.1: *Project Management System*)

Feature: An object that is not portable, such as a dwelling or storage facility.

Federal Lands: ". . . Any land other than tribal lands which are controlled or owned by the United States, including lands selected by but not yet conveyed to Alaska Native Corporations and

groups organized pursuant to the Alaska Native Claims Settlement Act of 1971." (Native American Graves Protection and Repatriation Act, Section 2[5])

Federal Preservation Officer: The U.S. Department of Energy Federal Preservation Officer coordinates the Department's cultural resource management activities under the National Historic Preservation Act. (National Historic Preservation Act, Section 110 [c])

Historic: The period after the advent of written history in a geographic region. For example, the historic period in what is now the southeastern United States began with the arrival of Europeans in that region in the early 1500s.

Historic American Buildings Survey and Historic American Engineering Record:

"The . . . national historical architectural and engineering documentation programs of the National Park Service that promote documentation incorporated into the Historic American Buildings Survey/Historic American Engineering Board collections in the Library of Congress . . . Historic American Buildings Survey/Historic American Engineering Board documentation usually consists of measured drawings, photographs and written data that provide a detailed record which reflects a property's significance." (48 FR 44716: Archeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines, 44731)

Historic Context: A particular historic theme that is further delineated by a time period and a geographic area.

Historic Property: A ". . . prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in, the National Register." (36 CFR Part 800: Protection of Historic and Cultural Properties, Section .2[e])

Historic Research: The scientific study of cultural resources through the analysis of data gathered from written records, either published sources or archival records.

Historic Resource: A cultural resource dating to the historic period.

Historic Site: A cultural resource site dating to the historic period.

Historic Structure: A building or other constructed facility dating to the historic period.

Human Forces: The result of authorized actions and illegal acts by humans that have the potential to affect cultural resources.

Illegal Acts: Acts that violate the Archeological Resources Protection Act or any of the other laws and regulations protecting cultural resources by causing prohibited types of damage or loss of these resources.

Indian Lands: ". . . Lands of Indian tribes, or Indian individuals, which are either held in trust by the United States or subject to a restriction against alienation imposed by the United States, except for subsurface interests not owned or controlled by an Indian tribe or Indian individual." (43 CFR Part 7: Protection of Archaeological Resources, Section .3[e])

Indian Tribe: ". . . Any tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians." (Native American Graves Protection and Repatriation Act, Section 2[7])

In Situ: The condition of objects that are situated in the location in which they were deposited by the people who originally produced or used them.

Inventory: The process of locating cultural resources and gathering information about them through archeological surveys, ethnographic fieldwork, or archival searches.

Investigation: The collection of evidence and information at crime scenes and elsewhere that leads to the identification and prosecution of those responsible for committing the illegal acts.

Isolated Feature: Nonportable artifacts that are not formally identified as cultural resource sites or components of such sites.

Known Cultural Resource: A cultural resource that has been identified and formally recorded by archeologists, ethnologists, or other cultural resource professionals, or that is known through ethnohistoric traditions or in any other way to Native Americans, other ethnic groups, or the public.

Laboratory Treatment: Activities conducted in a laboratory to process or analyze cultural resources or data about these resources. The principal goals of laboratory treatment are immediate preservation of the cultural resources and data and recognition of their information value. (Long-term management and preservation of collections of cultural resources and data are accomplished through curatorial services.)

Large-Scale Excavation: Extensive excavation of a cultural resource site, usually involving the exposure of large portions of the site surface or surfaces and the features present. Basic methods are horizontal exposure of the site surface in stratigraphic or arbitrary levels and systematic, controlled excavation of stratigraphic levels working downward.

Legal Compliance: The process of meeting legal requirements placed on CRM activities by the applicable Federal, state, local, or tribal laws and regulations.

Mitigation: Measures carried out to avoid or reduce the effects of undertakings on cultural resources. These measures may include actions such as relocation or other modifications of the undertaking itself or recovery of materials and data from the cultural resource site to be affected.

Monitoring: Periodic inspection of cultural resources to ascertain their condition and assess the effects of natural forces, authorized actions, or illegal acts.

National Historic Landmark: ". . . A district, site, building, structure, or object, in public or private ownership, judged by the Secretary [of the Interior] to possess national significance in American history, archeology, architecture, engineering and culture, and so designated by him." (36 CFR Part 65: National Historic Landmarks Program, Section .3[i])

National Register of Historic Places: A register ". . . composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture" maintained by the Secretary of the Interior; also referred to as "the National Register." (National Historic Preservation Act, Section 101[a][1][A])

National Register Status: The status of a cultural resource with regard to listing in the National Register of Historic Places. This status will be one of the following: unevaluated for eligibility, determined not eligible for inclusion, determined eligible for inclusion, nominated for inclusion, listed, or designated as a National Historic Landmark.

Native American: ". . . Of, or relating to, a tribe, people, or culture that is indigenous to the United States." (Native American Graves Protection and Repatriation Act, Section 2[9])

Native American Cultural Items: Human remains, associated funerary objects, unassociated funerary objects, sacred objects, and objects of cultural patrimony. (Native American Graves Protection and Repatriation Act, Section 2[3])

Native Hawaiian: ". . . Any individual who is a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now constitutes the State of Hawaii." (Native American Graves Protection and Repatriation Act, Section 2[10])

Native Hawaiian Organization: ". . . Any organization which (A) serves and represents the interests of Native Hawaiians, (B) has as a primary and stated purpose the provision of services to Native Hawaiians, and (C) has expertise in Native Hawaiian Affairs, and shall include the Office of Hawaiian Affairs and Hui Malama I Na Kupuna O Hawaii Nei." (Native American Graves Protection and Repatriation Act, Section 2[11])

Natural Forces: Forces of nature, such as wind and water erosion, wildfire, and frost heave, that can affect cultural resources.

No Effect: The situation in which an action involving a cultural resource will not ". . . alter characteristics of the property that may qualify the property for inclusion in the National Register." (36 CFR Part 800: Protection of Historic and Cultural Properties, Section .9[a])

Object: A ". . . material thing of functional, aesthetic, cultural, historical or scientific value that may be, by nature or design, movable yet related to a specific setting or environment." (36 CFR Part 60: National Register of Historic Places, Section .3[j])

Outreach: Activities designed to inform and educate the public about cultural resources and cultural resource management. These activities may be conducted on the DOE site or at locations in the community.

Paleontological Specimen: Fossilized and nonfossilized remains and impressions of prehistoric, nonhuman plant and animal life forms.

Permit: An agency-issued document authorizing excavation and removal of cultural resource from lands under the agency's jurisdiction. (Archeological Resources Protection Act, Section 4)

Plow and Disk Survey: A type of archeological survey in which cultural resources are located by plowing and disking the surface of the survey area with agricultural implements to expose artifacts and other cultural materials buried beneath recent overburden.

Prehistoric: The period of time before the advent of written history in a geographic region. The prehistoric period in the various regions of North America is the time before the arrival of Europeans in each of these regions.

Prehistoric Site: A cultural resource site dating to the prehistoric period.

Preservation: Protection of cultural resources from the effects of either natural or human forces, either in situ or in collections.

Prevention: Reduction or elimination of the destructive effects of natural or human forces on cultural resources before these effects occur.

Processing: The initial phase of laboratory treatment of cultural resources or data about them, including activities such as sorting, cleaning, numbering, cataloging, photography, drawing, conservation, or restoration.

Program: An organized set of activities directed toward a common purpose, or a goal undertaken or proposed in support of an assigned mission area. It is characterized by a strategy for accomplishing a definite objective(s), which identifies the means of accomplishment, particularly in quantitative terms, with respect to work force, materials, and facilities requirements. Programs are typically made up of technology base activities, projects, and supporting operations. (DOE 4700.1: *Project Management System*)

Programmatic Agreement: An agreement negotiated by a facility or program with the Advisory Council on Historic Preservation and the State Historic Preservation Officer pursuant to 36 CFR Part 800.13 in order ". . . to fulfill . . . Section 106 [of NHPA] responsibilities for a particular program, a large or complex project, or a class of undertakings that would otherwise require numerous individual requests for comments . . ." (36 CFR Part 800.13(a))

Project: A unique major effort within a program that has firmly scheduled beginning-, intermediate-, and ending-date milestones; prescribed performance requirements; prescribed costs; and close management, planning, and control. A project is a basic building block in relation to a program that is individually planned, approved, and managed. A project is not constrained to any specific element of the budget structure (e.g., operating expense or plant and capital equipment). Construction, if required, is part of the total project. Authorized and at least partially appropriated projects will be divided into three categories: major system acquisitions, major projects, and other projects. (DOE 4700.1: *Project Management System*)

Protection: Measures carried out to reduce or eliminate the effects of natural or human forces that cause damage or loss of cultural resources. Types of protection measures for natural and human forces resulting from authorized actions include monitoring, project screening and tracking, and restoration and repair. When human forces result from illegal acts, types of protection measures include detection, investigation, prosecution, restoration and repair, and prevention.

Protohistoric: Pertaining to the transition period between the prehistoric and historic periods, after the advent of written history in a geographic region, but before all groups have entered the historic period.

Recent Scientific Significance: Significance or importance derived from association with recent scientific advancements in the last 50 years, such as the development of nuclear energy technology.

Repository: ". . . A facility such as a museum, archeological center, laboratory or storage facility managed by a university, college, museum, other educational or scientific institution, a Federal, State or local Government agency or Indian tribe that can provide professional, systematic and accountable curatorial services on a long term basis." (36 CFR Part 79: Curation of Federally-Owned and Administered Archeological Collections, Section .4[k])

Research Design: "A statement of proposed identification, documentation, investigation or other treatment of a historic property that identifies the project's goals, methods and techniques, expected results, and the relationship of the expected results to other proposed activities or treatments." (48 FR 44716: Archeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines, 44739)

Resources of Ethnic Importance: Cultural resources that have ethnic importance. These include sacred sites, traditional-use resources, Native American cultural items, and any other resources that have ethnic importance.

Restoration and Repair: Activities including, but not limited to, ". . . (1) reconstruction of the archaeological resource; (2) stabilization of the archaeological resource; (3) ground contour reconstruction and surface stabilization; (4) research necessary to carry out reconstruction or stabilization; (5) physical barriers or other protective devices, necessitated by the disturbance of the archaeological resource, to protect it from further disturbance; (6) examination and analysis of the archaeological resource including recording remaining archaeological information, where necessitated by disturbance, in order to salvage remaining values which cannot be otherwise conserved; (7) reinterment of human remains in accordance with religious custom and State, local, or tribal law, where appropriate, as determined by the Federal land manager; (8) preparation of reports relating to any of the above activities." (43 CFR Part 7: Protection of Archaeological Resources, Section 14[c])

Sacred Site: A place or location associated with the religious beliefs or practices of Native Americans or other ethnic groups. In addition to churches and other formal religious or ceremonial sites, these may include natural places or locations used for religious purposes or important in religious beliefs.

Shovel-Test Survey: A type of archeological survey in which buried cultural resources are located by small, shovel-size excavations at regular intervals.

Site: The ". . . location of a significant event, a prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself maintains historical or archeological value regardless of the value of any existing structure." (36 CFR Part 60: National Register of Historic Places, Section .3[l]). (See also Cultural Resource Site)

State Historic Preservation Officer: ". . . The official appointed or designated pursuant to Section 101(b)(1) of the [National Historic Preservation] Act to administer the State historic preservation program." (36 CFR Part 800: Protection of Historic and Cultural Properties, Section .2[n])

Stewardship: The faithful management of resources as assets that must be turned over to the next generation. (Legacy Cultural Resource Management Program, U.S. Department of Defense)

Structure: A ". . . work made up of independent and interrelated parts in a definite pattern of organization. Constructed by man, it is often an engineering project large in scale." (36 CFR Part 60, National Register of Historic Places, Section .3[p])

Test Excavation: Excavation of a small portion of a cultural resource site to determine the types and extent of the materials present. Basic test excavation methods are hand excavation of test pits in a grid, or test trenches and machine excavation of test trenches.

Test Pit: A type of test excavation dug by hand that is usually relatively small in size. Units one meter in surface area are commonly used for test pits.

Test Trench: A linear type of test excavation dug by hand or by machine that is designed to transect cultural resource sites or features and expose the vertical faces of the deposits. Backhoes are sometimes used to excavate test trenches.

Traditional-Use Resource: Natural resources such as plants, animals, minerals, and natural features, traditionally collected or otherwise utilized by Native Americans or other ethnic groups.

Treaty: A bilateral agreement between the United States and an Indian Nation that essentially guarantees that tribes will possess in perpetuity sufficient land and resources to continue to be self-sustaining, with the intention that the tribes maintain sovereignty within their homelands

and not be subject to incursions by the laws of the states. These agreements also recognize a duty by the Federal government to protect land, rights, and resources, notwithstanding that there is a broad Federal power over Indian affairs. (Congress brought the treaty-making period to a close by enactment of the 1871 Appropriations Act.) (Black 1968)²

Undertaking: ". . . Any project, activity, or program that can result in changes in the character or use of historic properties . . ." and is carried out ". . . under the direct or indirect jurisdiction of a Federal agency or [is] licensed or assisted by a Federal agency." (36 CFR Part 800: Protection of Historic and Cultural Properties, Section .2[o])

Walk-Over Survey: A type of archeological survey in which cultural resources are located simply by walking over the existing surface of the ground. In areas characterized by thick vegetation or extensive depositional forces, this method is effective in locating only standing structures.

² Black's Law Dictionary, Henry Campbell, West Publishing Co., 1968, Rev. 4th edition.

APPENDIX B

***LEGISLATION GOVERNING THE MANAGEMENT
OF CULTURAL RESOURCES***

APPENDIX B

**LEGISLATION GOVERNING THE MANAGEMENT
OF CULTURAL RESOURCES**

Antiquities Act of 1906

Historic Sites Act of 1935

Archeological Recovery Act of 1960

National Historic Preservation Act of 1966, as amended

National Register of Historic Places (36 CFR Part 60)

Determination of Eligibility for Inclusion in the National Register of Historic Places
(36 CFR Part 63) (36 CFR Part 63 is slated for future incorporation with 36 CFR Part 60)

National Historic Landmark Program (36 CFR Part 65)

Waiver of Federal Responsibilities under NHPA (36 CFR Part 78)

Curation of Federally-Owned and Administered Archeological Collections (36 CFR Part 79)

Protection of Historic and Cultural Properties (36 CFR Part 800)

National Environmental Policy Act

Council on Environmental Quality Implementing Regulations (40 CFR Part 1500)

Executive Order 11593: Protection and Enhancement of the Cultural Environment (1971)

Archeological and Historic Preservation Act of 1974

American Folklife Preservation Act of 1976

American Indian Religious Freedom Act of 1978

Archeological Resources Protection Act of 1979, as amended

Abandoned Shipwreck Act of 1987

Native American Graves Protection and Repatriation Act of 1990

APPENDIX C

***U.S. DEPARTMENT OF ENERGY CRM DOCUMENTS
AND OTHER RELATED DOCUMENTS***

APPENDIX C

U.S. DEPARTMENT OF ENERGY CRM DOCUMENTS AND OTHER RELATED DOCUMENTS

Documents that will be of assistance to U.S. Department of Energy (DOE) facility managers and their contractors in meeting their compliance responsibilities are listed in this appendix. These documents serve several functions. First, they compile appropriate Federal regulatory materials. Second, the documents emphasize why and where cultural resources should be identified, evaluated, and protected, and the importance of consulting with local, state, and Federal agencies and Native Americans when DOE activities might impact cultural resource sites and items. Third, the documents identify the importance of developing written Cultural Resource Management Plans, a theme that runs throughout the Federal regulations and guidance (particularly the Annotated Guidelines for Federal Agency Responsibilities under Section 110 that are authorized by Section 101[f] of the National Historical Preservation Act).

CRM DOCUMENTS

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U.S. Department of Energy American Indian Policy, Office of Intergovernmental Affairs (Nov. 29, 1991).

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DOE Order 1344.7A: *Departmental History Program*.

The Native American Graves Protection and Repatriation Act, Department of Energy Guidance Memorandum, Air, Water, and Radiation Division (June 30, 1992).

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